



Ordinary Meeting

Date of meeting: 13 September 2022
Location: Council Chambers
Time: 6:30 p.m.

BUSINESS PAPER

ORDINARY MEETING**Table of Contents**

Meeting Date: 13 September 2022

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE
PROCEDURAL MATTERS		3
SECTION 1 - Confirmation of Minutes		6
SECTION 2 – Mayoral Minutes		9
Item: 151	MM - Hawkesbury Local Government Area Roads - (138879)	9
SECTION 3 – Reports for Determination		13
PLANNING DECISIONS		13
Item: 152	CP - Draft Amended Redbank Voluntary Planning Agreement - Proposed Grose River Bridge - Post Exhibition Report - (95498, 124414)	13
Item: 153	CP - Planning Proposal to Amend the Hawkesbury LEP 2012 Zoning Map from SP2 Infrastructure (Water Supply Infrastructure) to R5 Large Lot Residential - 4 Hall Street, Pitt Town - (124414, 95498)	33
Item: 154	CP - Planning Proposal to Amend the Hawkesbury LEP 2012 to reduce the Minimum Lot Size provisions from 2,500m ² to 1,000m ² - 30A, 30B, 30C and 34 Mitchell Road, Pitt Town - (124414, 95498)	64
GENERAL MANAGER		85
Item: 155	GM - Review of Delegations of Authority under Section 377 of the Local Government Act 1993 - (79351)	85
Item: 156	GM - Motions - 2022 Local Government NSW Annual Conference - (79351, 79633)	97
CITY PLANNING		100
Item: 157	CP - Outcome of Public Exhibition - Draft Destination Management Plan - (95498, 124414, 147666)	100
Item: 158	CP - Draft Waste and Resource Strategy 2032 - (95498)	106
CORPORATE SERVICES		113
Item: 159	CS - Investment Report - July 2022 - (95496)	113
Item: 160	CS - Pecuniary Interest Returns - Designated Persons - (95496, 96333)	119
Item: 161	CS - Proposed Road Dedication and Road Closure - Bismark Street, McGraths Hill - (95496, 112106)	122
Item: 162	CS - Relocation of Stormwater Discharge - 295 Sackville Road, Wilberforce - (95496, 31583, 140668)	130

ORDINARY MEETING

Table of Contents

Meeting Date: 13 September 2022

INFRASTRUCTURE SERVICES	133
Item: 163 IS - Richmond Lowlands Drainage Works - (95495)	133
Item: 164 IS - Road Naming Proposal Private Road - Right of Way/Easement for Services off Yengo Drive, Putty - (95495)	138
Item: 165 IS - Road Naming Proposal Associated with DA0420/18 (68 to 82 Fairey Road) South Windsor - (95495)	141
SECTION 4 – Reports of Committees	147
Item:166 ROC - Local Traffic Committee - 8 August 2022 - (95495, 80245)	147
SECTION 5 – Notices of Motion	183
Item: 167 NM1 - Restoration of Windsor Mall Gas Lamps - (155345)	183
Item: 168 NM2 - Establishment of a Floodplain Management Sub-Committee to the Disaster and Emergency Committee - (125612)	188
CONFIDENTIAL REPORTS	189
Item: 169 GM - Organisation Structure - (79351)	189

ORDINARY MEETING

Procedural Matters

Meeting Date: 13 September 2022

PROCEDURAL MATTERS

Welcome

The Mayor, Councillor Sarah McMahon will acknowledge the Indigenous Heritage.

The General Manager will address the Council meeting, mentioning:

- Emergency Procedures
- Recording of the Council Meeting
- Statement regarding people addressing the Meeting
- Mobile phones

Attendance

Attending Councillors and Council staff members will be noted for the purposes of the Minutes.

Statement of Ethical Obligations

On 11 January 2022 in accordance with Section 233A of the Local Government Act 1993, Councillors took an oath or made an affirmation of office to undertake the duties of the office of Councillor in the best interests of the people of the Hawkesbury City Council Local Government Area and the Hawkesbury City Council and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in Councillors under the Local Government Act 1993 or any other Act to the best of their ability and judgment.

Council's Code of Conduct requires Councillors to disclose and appropriately manage conflicts of interest.

Apologies and Leave of Absence or Attendance by Audio-Visual Link

The Mayor will ask for any Apologies or Leave of Absence Requests to be noted.

Declaration of Interest

The Mayor will ask for any Declaration of Interests from the attending Councillors. These will then be addressed at the relevant item.

Acknowledgement of Official Visitors to the Council

The Mayor will acknowledge and welcome official visitors to the Council and make any relevant presentations as required.

ORDINARY MEETING

Procedural Matters

Meeting Date: 13 September 2022

ORDINARY MEETING

SECTION 1 - Confirmation of Minutes

Meeting Date: 13 September 2022

Ordinary

Section

1

Confirmation of minutes

ORDINARY MEETING

SECTION 1 - Confirmation of Minutes

Meeting Date: 13 September 2022

SECTION 1 - Confirmation of Minutes



Ordinary Meeting

Date of meeting: 23 August 2022
Location: Council Chambers
Time: 6:30 p.m.

MINUTES

ORDINARY MEETING

Minutes: 23 August 2022

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE
	CHAIRPERSON	2
	ATTENDANCE	3
	APOLOGIES AND LEAVE OF ABSENCE OR ATTENDANCE BY AUDIO-VISUAL LINK	3
	DECLARATIONS OF INTEREST	3
	SECTION 1 - Confirmation of Minutes	4
	SECTION 3 – Reports for Determination	5
	GENERAL MANAGER	5
Item: 148	GM - Election of the Mayor - (79351)	5
Item: 149	GM - Appointment of Councillor Representatives - Forum on Western Sydney Airport and Peppercorn Services Inc. - (79351, 95496)	8
Item: 150	GM - 2022 Local Government NSW Annual Conference - (79351)	9

ORDINARY MEETING

Minutes: 23 August 2022

ORDINARY MEETING

Minutes: 23 August 2022

Minutes of the Ordinary Meeting held at the Council Chambers, Windsor, on 23 August 2022, commencing at 6:30pm.

CHAIRPERSON

In accordance with Clause 6.1 of Council's Code of Meeting Practice, in the absence of the Mayor, the Deputy Mayor Councillor Calvert, presided as the Chairperson.

Welcome

The Deputy Mayor, Councillor Barry Calvert acknowledged the Indigenous Heritage.

The General Manager addressed the Council meeting, mentioning:

- Emergency Procedures
- Recording of the Council Meeting
- Statement regarding people addressing the Meeting
- Mobile phones

ATTENDANCE

PRESENT: Councillor Barry Calvert, Deputy Mayor and Councillors Patrick Conolly, Shane Djuric, Eddie Dogramaci, Amanda Kotlash, Mary Lyons-Buckett, Sarah McMahon, Jill Reardon, Les Sheather, Paul Veigel, Danielle Wheeler and Nathan Zamprogno.

ALSO PRESENT: General Manager - Elizabeth Richardson, Director Infrastructure Services - Will Barton, Director Corporate Services - Laurie Mifsud, Manager Corporate Communication - Suzanne Stuart, Manager Governance - Charles McElroy and Council Committee Officer - Amy Birks.

APOLOGIES AND LEAVE OF ABSENCE OR ATTENDANCE BY AUDIO-VISUAL LINK

There were no apologies or requests for leave of absence received from Councillors.

Councillor Zamprogno arrived at the meeting at 6:48pm.

DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

Acknowledgement of Official Visitors to the Council

There were no official visitors to Council.

ORDINARY MEETING

Minutes: 23 August 2022

SECTION 1 - Confirmation of Minutes

181 RESOLUTION:

RESOLVED on the motion of Councillor Lyons-Buckett and seconded by Councillor Reardon that the Minutes of the Ordinary Meeting held on the 9 August 2022, be confirmed.

ORDINARY MEETING

Minutes: 23 August 2022

SECTION 3 - Reports for Determination

GENERAL MANAGER

Item: 148 **GM - Election of the Mayor - (79351)**

Previous Item: 001 (Ordinary, 11 January 2022)
 002 (Ordinary, 11 January 2022)

Directorate: General Manager

MOTION:

RESOLVED on the motion of Councillor Veigel, seconded by Councillor Sheather.

Refer to RESOLUTION

182 RESOLUTION:

RESOLVED on the motion of Councillor Veigel, seconded by Councillor Sheather.

That an election for the position of Mayor of Hawkesbury City Council for the balance of the Mayoral Term from August 2022 to January 2024 be carried out.

For the Motion: Councillors Calvert, Conolly, Djuric, Dogramaci, Kotlash, Lyons-Buckett, McMahon, Reardon, Sheather, Veigel and Wheeler.

Against the Motion: Nil.

Absent: Councillor Zamprogno.

The Deputy Mayor, Councillor Calvert vacated the chair.

The General Manager, Elizabeth Richardson, in accordance with provisions of Clause 1 of Schedule 7 of the Local Government (General) Regulation 2021, acted as Returning Officer for the election of Mayor.

The Returning Officer advised that she had received three valid nominations for the position of Mayor, being:

Councillor Sarah McMahon	Nominated by Councillor Conolly Seconded by Councillor Reardon
Councillor Mary Lyons-Buckett	Nominated by Councillor Lyons-Buckett Seconded by Councillor Wheeler
Councillor Amanda Kotlash	Nominated by Councillor Kotlash Seconded by Councillor Calvert

ORDINARY MEETING

Minutes: 23 August 2022

The Returning Officer advised that it would be necessary for Council to determine the method of voting for the position of Mayor.

MOTION:

RESOLVED on the motion of Reardon, seconded by Councillor Dogramaci.

Refer to RESOLUTION

183 RESOLUTION:

RESOLVED on the motion of Councillor Reardon, seconded by Councillor Dogramaci.

That the election for the position of Mayor of Hawkesbury City Council for the balance of the Mayoral Term from August 2022 to January 2024 be carried out by open voting.

For the Motion: Councillors Calvert, Conolly, Djuric, Dogramaci, Kotlash, Lyons-Buckett, McMahon, Reardon, Sheather, Veigel and Wheeler.

Against the Motion: Nil.

Absent: Councillor Zamprogno.

A draw was conducted by the Returning Officer to determine the candidate's position on the Tally Sheet. The candidate's names were drawn out of the box in the following order and placed on the tally sheet:

1. Councillor Mary Lyons-Buckett
2. Councillor Amanda Kotlash
3. Councillor Sarah McMahon

The Returning Officer then conducted a ballot by open voting resulting in the candidates receiving the following votes:

Round 1

Councillor Mary Lyons-Buckett	3 votes
Councillor Amanda Kotlash	2 votes
Councillor Sarah McMahon	6 votes

For Councillor Lyons-Buckett: Councillors Djuric, Lyons-Buckett and Wheeler.

For Councillor Kotlash: Councillors Calvert and Kotlash.

For Councillor McMahon: Councillors Dogramaci, Conolly, McMahon, Reardon, Sheather and Veigel.

Absent: Councillor Zamprogno.

With the lowest number of votes, Councillor Kotlash (2 votes) was excluded.

ORDINARY MEETING

Minutes: 23 August 2022

The Returning Officer then conducted a further ballot by open voting resulting in the candidates receiving the following votes:

Round 2

Councillor Mary Lyons-Buckett	3 votes
Councillor Sarah McMahon	7 votes

For Councillor Lyons-Buckett: Councillors Djuric, Lyons-Buckett and Wheeler.

For Councillor McMahon: Councillors Calvert, Dogramaci, Conolly, McMahon, Reardon, Sheather and Veigel.

Did not vote: Councillor Kotlash.

Absent: Councillor Zamprogno.

The Returning Officer declared Councillor McMahon as Mayor of Hawkesbury City Council for the balance of the Mayoral Term August 2022 to January 2024.

Councillor McMahon assumed the Chair as Mayor.

ORDINARY MEETING

Minutes: 23 August 2022

Item: 149 **GM - Appointment of Councillor Representatives - Forum on Western Sydney Airport and Peppercorn Services Inc. - (79351, 95496)**

Directorate: General Manager

MOTION:

RESOLVED on the motion of Councillor Sheather, seconded by Councillor Kotlash.

Refer to RESOLUTION

184 RESOLUTION:

RESOLVED on the motion of Councillor Sheather, seconded by Councillor Kotlash.

That Council appoint:

1. Councillor Veigel to the Forum on Western Sydney Airport for the period from August 2022 to January 2024.
2. Councillor Wheeler to Peppercorn Services Inc. for the period from August 2022 to January 2024.

For the Motion: Councillors McMahon, Calvert, Conolly, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Nil.

ORDINARY MEETING

Minutes: 23 August 2022

Item: 150 **GM - 2022 Local Government NSW Annual Conference - (79351)**

Previous Item: 126 (Ordinary, 19 July 2022)

Directorate: General Manager

MOTION:

RESOLVED on the motion of Councillor Lyons-Buckett, seconded by Councillor Kotlash.

Refer to RESOLUTION

185 RESOLUTION:

RESOLVED on the motion of Councillor Lyons-Buckett, seconded by Councillor Kotlash.

That Council:

1. Approve Councillors Lyons-Buckett, Reardon and Sheather to attend the 2022 Local Government NSW Annual Conference at an approximate cost of \$2,650 per Councillor plus travel expenses, to replace Councillor Dogramaci.
2. Nominate Councillors Lyons-Buckett, Reardon and Sheather as Council's voting delegates for voting on Conference motions, to replace Councillor Dogramaci.

For the Motion: Councillors McMahon, Calvert, Conolly, Djuric, Dogramaci, Kotlash, Lyons-Buckett, Reardon, Sheather, Veigel, Wheeler and Zamprogno.

Against the Motion: Nil.

Absent: Nil.

The meeting terminated at 7:02pm.

Submitted to and confirmed at the Ordinary meeting held on 13 September 2022.

.....
Mayor

Ordinary

Section **2**

Mayoral minutes

ORDINARY MEETING

SECTION 2 – Mayoral Minute

Meeting Date: 13 September 2022

ORDINARY MEETING
SECTION 2 – Mayoral Minute
Meeting Date: 13 September 2022

SECTION 2 – Mayoral Minutes

Item: 151 **MM - Hawkesbury Local Government Area Roads - (138879)**

BACKGROUND:

The Hawkesbury Local Government Area (LGA) is one of the largest geographical council areas in Greater Sydney. The local and regional road network, for which Council is responsible, totals more than 1,000km. On top of this are the State Roads, for which the NSW Government is responsible.

Before we consider upgrades, such as sealing unsealed roads, widening or raising roads, the network as it currently exists requires ongoing maintenance, repairs, re-sealing, complete renewal and significant roadside drainage to restore and then preserve the road network. This is necessary to maintain community standards about the quality of our roads, especially when this is one of the expectations of residents when paying their annual rates.

However, there is no doubt that the road network within the Hawkesbury LGA requires significant attention.

This is due to several reasons, including:

- Damage (including an increase in potholes) associated with the five floods and various storm events since February 2020;
- Intense rainfall over the last two-and-a-half years, resulting in saturated ground and an inability to complete lasting repairs;
- A backlog of maintenance and repairs that has not been kept up-to-date over the last decade;
- Poor systems to record, track and report on road defects;
- A network in deterioration from previous poor quality past work;
- A small number of available road staff, due to an under supply of available road base and skilled workers across NSW, highlighting that this problem is not isolated to just the Hawkesbury.

This year, we adopted a budget that included a condition audit of the Hawkesbury road network. When completed later this year, this will provide the data staff need in developing a Transport Asset Management Plan, which will include a program of longer term projects, as well as prioritising immediate work on fixing the serious problem of poor pavements, pot holes and drainage.

There are multiple pools of funds available to do the required work, which can be split into two categories:

- Business As Usual, which includes standard annual Operational Plan funding, as well as funding to complete the advertised schedule of works associated with the Special Rate Variation (SRV) from 2017; and
- The Disaster Recovery Funding Arrangements (DRFA), a claimable pool of funds from the State and Federal Governments, in direct reference to the multiple natural disaster declared events in our LGA. This does not presently permit or fund any improvements, referred to as “betterment”, and requires significant evidence to support claims.

As Councillors, we have been contacted repeatedly about this issue and residents’ understandable frustrations. Whilst we have the benefit of briefings to keep us informed of the progress to address it, it is pertinent that the community is also aware of the wholistic approach to restoring our road network, both in the immediate term, but also in the longer term.

This is why I will be calling for a report from Council staff, to be reported back at the very next Council meeting, outlining the roads program moving forward that identifies each road, as well as the funding stream attached to it, and discussing the job that needs to be done (maintenance, repairs, sealing etc) It is also expected that a timeline will be attached to each program (pending no additional significant weather events).

ORDINARY MEETING
SECTION 2 – Mayoral Minute
Meeting Date: 13 September 2022

RECOMMENDATION:

That Council receive a report on the current status of Hawkesbury Roads to the October 2022 Council meeting, outlining the following:

1. The current state of the management of the Hawkesbury road network;
2. The plan to address the immediate state of potholes across the Local Government Area;
3. An update on the 2022-2023 roads program including anticipated timing and funding sources;
4. An update on the flood recovery program; and
5. The longer term plan to adequately resource the management of the road network

ADDITIONAL INFORMATION:

Whilst this report aims to clarify the future position of the roads program, as well as addressing the immediate need to fix potholes, Hawkesbury City Council do aim to keep the community well informed of the day-to-day work of our limited road crew.

Works are published daily at the following link, under the heading 'Daily Roads Maintenance Activity': [Flood project updates | Hawkesbury City Council \(nsw.gov.au\)](#).

Hawkesbury City Council's Facebook page is also updated frequently with information regarding roadworks and can be found here: <https://www.facebook.com/hawkesburycitycouncil>

We also encourage members of the community to continue to report pot-holes and damaged roads via:

- Council's website: [Roads Reporting | Resources \(nsw.gov.au\)](#)

NSW road classification map: <https://roads-waterways.transport.nsw.gov.au/classification/map/>

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF MAYORAL MINUTE Oooo

Ordinary

Section

3

Reports
for determination

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

SECTION 3 – Reports for Determination

PLANNING DECISIONS

Item: 152 **CP - Draft Amended Redbank Voluntary Planning Agreement - Proposed Grose River Bridge - Post Exhibition Report - (95498, 124414)**

Previous Item: 123, Ordinary (19 July 2022)
 152, Ordinary (10 August 2021)
 11, Ordinary (11 February 2020)
 294, Ordinary (11 December 2018)
 124, Ordinary (29 May 2018)
 118, Ordinary (27 June 2017)
 99, Ordinary (24 June 2014 – deferred 1 July 2014)
 54, Ordinary (25 March 2014)
 223, Ordinary (12 November 2013)

Directorate: City Planning

PURPOSE OF THE REPORT:

The purpose of this report is to consider the outcome of public exhibition of the draft Amended Redbank Voluntary Planning Agreement.

EXECUTIVE SUMMARY:

At its Ordinary Meeting on 19 July 2022, Council considered a report in relation to the draft Amended Redbank Voluntary Planning Agreement, where it was resolved that Council:

“Place the draft amended Redbank Voluntary Planning Agreement and Explanatory Note included as Attachment 1 to the report on public exhibition for a minimum of 28 days, with the draft amended Redbank VPA to be reported back to Council following the exhibition prior to finalisation”

The draft amended Redbank VPA was placed on public exhibition between 28 July and 29 August 2022 with 377 submissions being received.

This report includes and considers submissions received, and recommends that Council proceed with amending the Redbank Voluntary Planning Agreement is attached as Attachment 1 to this report.

RECOMMENDATION:

That Council:

1. Endorse the amended Redbank Voluntary Planning Agreement and Explanatory Note included as Attachment 1 to the report, including the variation to the Voluntary Planning Agreement Milestone for practical completion of Peel Park as set out below:

Reference	Activity	Current Milestone	Proposed Amended Milestone
Refer VPA Schedule 2, Item 1.7, Page 5 of 9	Practical completion of Peel Park	901 st urban lot	915 th urban lot

BACKGROUND

Redbank Voluntary Planning Agreement and the Grose River Bridge Crossing

In March 2012 Council received a planning proposal to rezone 108 Grose Vale Road, North Richmond for predominantly residential purposes. The planning proposal included specialist reports and an offer to enter into a Voluntary Planning Agreement. The matter was reported to Council in May 2012. Council resolved to support the rezoning and forward it to the then Minister for Planning and Infrastructure for a “Gateway” determination. In addition, in the event that the Department of Planning and Infrastructure determined to allow planning proposal to proceed, Council also resolved to commence negotiations with the applicant on a Voluntary Planning Agreement.

In July 2012 the Department of Planning and Infrastructure issued its Gateway determination endorsing the progression of the planning proposal. The documentation was amended in accordance with the conditions of the Gateway determination, and placed on public exhibition. The exhibition material included a draft Voluntary Planning Agreement that amongst other things made provision for road works and a bridge crossing of Grose River at Yarramundi.

The planning proposal was considered by Council at its meeting in November 2013 at which time Council resolved to support the planning proposal. The Voluntary Planning Agreement was subsequently adopted by Council in July 2014. In the case of the Redbank Voluntary Planning Agreement, as both the Council and the Roads and Maritime Services (now Transport for NSW) are Planning Authorities, they were both parties to the agreement.

In broad terms the Redbank Voluntary Planning Agreement entered into in 2014 made provision for:

- Intersection and road works
- Bridge crossing of Grose River at Yarramundi
- Public transport facilities
- Community facilities
- Works as identified by the Conservation Management Plan
- Improvements to Peel Park
- Open space and recreation.

Under the Voluntary Planning Agreement, the delivery of the Grose River Bridge crossing is achieved either by the Developer constructing the bridge or through a monetary contribution in lieu thereof (under Clause 7.2(e)(i)(B) of the Redbank Voluntary Planning Agreement) provided (or paid) in accordance with a series of milestones.

To date 797 lots have been registered, with a further 122 lots granted development consent (919 lots in total).

Previous Amendment to VPA Milestones

Since the Voluntary Planning Agreement was entered into there have been amendments made to reflect changes to the sequencing and delivery of the Grose River Bridge and revised schedules for the delivery of the upgrade of Peel Park and a Child Care Centre as outlined below.

In 2017 the Developer made a request to make the monetary contribution for the Grose River Bridge.

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

On 27 June 2017, Council considered a confidential report in relation to the Redbank Voluntary Planning Agreement and delivery of the bridge over the Grose River. At that meeting Council resolved, (in part), to:

- "1. Advise the Developer that Council does not agree with their request, dated 20 February 2017, to pay the Monetary Contribution for the "New Proposed Bridge (Multispan)" under the provisions of Clause 7.2(e)(i)(B) of the Redbank Voluntary Planning Agreement.

2. Note that there have been no monetary contributions made by the Developer for the bridge works to date. If the Redbank Voluntary Planning Agreement Monetary Contribution payment provisions for the Bridge Works are pursued they would be made as the development proceeds. The total funds would not be payable for approximately five or more years and that, under the provisions of the Voluntary Planning Agreement, the RMS would receive 95% of those funds with Council receiving 5% of that contribution. Council has previously resolved if the Redbank Voluntary Planning Agreement Monetary Contribution payment provisions for the Bridge Works are pursued they would be made as the development proceeds. The total funds would not be payable for approximately five or more years and that, under the provisions of the Voluntary Planning Agreement, the RMS would receive 95% of those funds with Council receiving 5% of that contribution.

3. Agree to amend the Milestone in Schedule 2, Table 1, Item 1.2 (approval Milestone for New Proposed Bridge (Multispan)) of the Redbank Voluntary Planning Agreement to the following:
 - Milestone 2: amend from 341st Urban Lot to 701st Urban Lot.

4. Agree to amend the Milestone in Schedule 2, Table 1, Item 1.3 (operational milestone for the New Proposed Bridge (Multispan)) of the Redbank Voluntary Planning Agreement to the following:
 - Amend the 'Timing' in Column 3 for the practical completion of the works from 641st Urban Lot to 1001st Urban Lot."

At its Meeting on 29 May 2018, Council agreed to amend the milestones for completion of facility improvements to Peel Park to allow additional community engagement to be completed.

Reference	Activity	Previous Milestone	Amended Milestone
Refer VPA Schedule 2, Item 1.7, Page 5 of 9	Practical Completion of Works Peel Park	601 st urban lot	901 st urban lot

At its Meeting on 11 December 2018, Council resolved (in part) as follows:

- "2. Council agree to amend the relevant Voluntary Planning Agreement Milestones, to better reflect accepted practices for designing and constructing a bridge, as follows:
 - a. Refer Schedule 2, Item 1.2, Page 1 of 9, Milestone 1 Preparation and lodgement of Concept Design 121st Lot No Change

 - b. Refer Schedule 2, Item 1.2, Page 1 of 9, Milestone 2 Development Approval by Relevant Authority 701st Lot - No Change

ORDINARY MEETING
SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

- c. Refer Schedule 2, Item 1.2, Page 1 of 9, Milestone 3 Preparation of the Construction Documentation 461st Lot 821st lot
- d. Refer Schedule 2, Item 1.3, Page 2 of 9" Construction of the Proposed Bridge 1001st Lot No Change -

In relation to the delivery of a childcare centre, at its Meeting on 10 December 2019, Council resolved to amend milestones to integrate with previously adopted milestone changes to the Voluntary Planning Agreement, and reflect the traditional sequence of approving construction and operating a childcare centre.

Reference	Activity	Previous Milestone	Amended Milestone
Refer Schedule 2 Item 4.2 Page 9 of 9 Milestone 2	Assist and ensure a third party, being an approved childcare operator, can construct and establish a Child care centre within the Redbank development.	601 st urban lot	901 st urban lot

At its Ordinary meeting on 10 August 2021, Council resolved to amend the Voluntary Planning Agreement milestones for the Grose River Bridge to, in part:

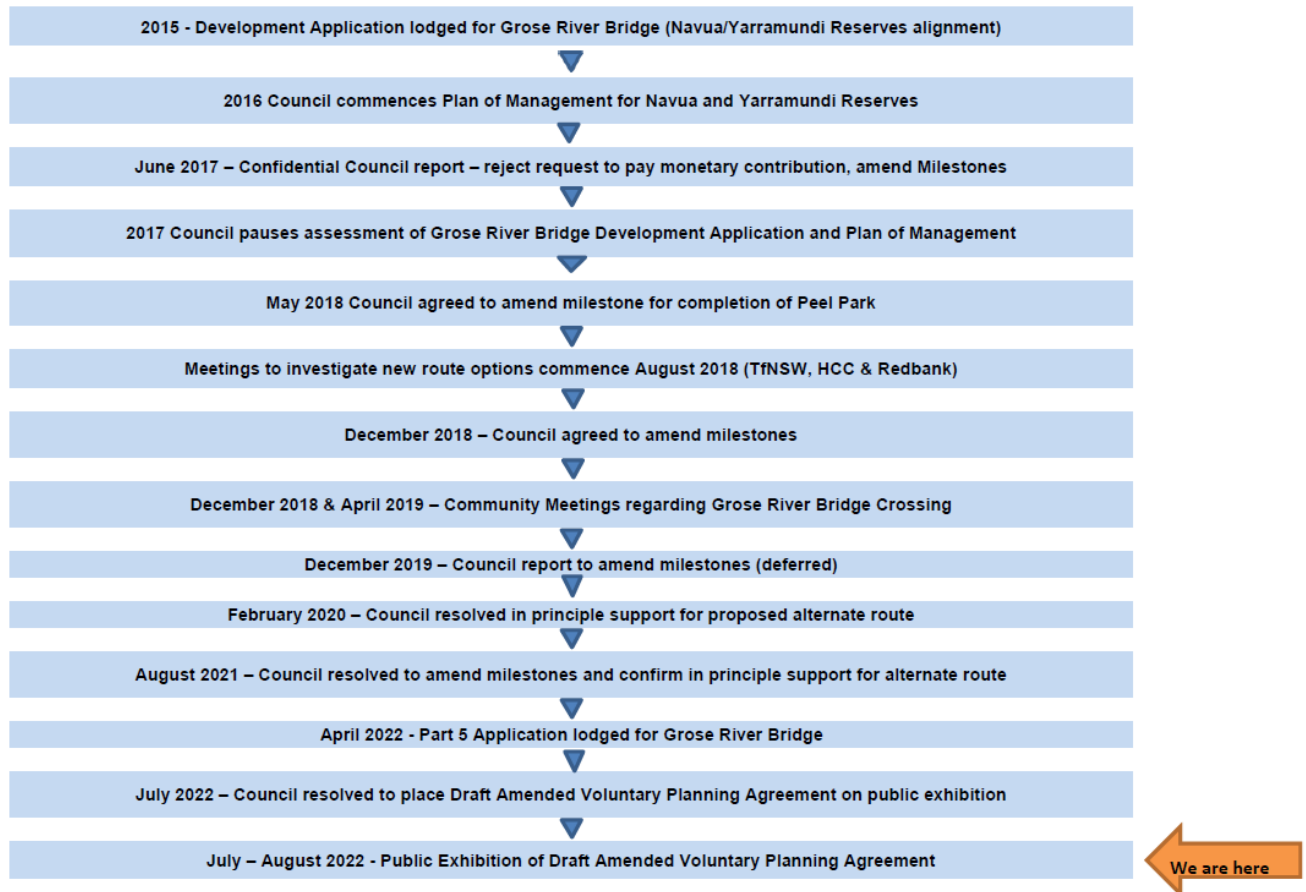
"That Council:

1. Agree to amend the relevant Voluntary Planning Agreement Milestones, in relation to the proposed Grose River Bridge, as follows:

Reference	Activity	Current Milestone	Proposed Amended Milestone
Milestone 2 (VPA Schedule 2, Item 1.2, Page 1 of 9)	Development approval by the relevant authority	701 st urban lot	801 st urban lot
Milestone 3 (VPA Schedule 2, Item 1.2, Page 1 of 9)	Preparation of the construction documentation and submission to the relevant authority	821 st urban lot	865 th urban lot
VPA Schedule 2, Item 1.3, Page 2 of 9	Construction (practical completion) of the proposed bridge	1001 st urban lot	1101 st urban lot

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

The following table provides a summary of key dates and actions associated with the Grose River Bridge matter:



ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

Public Exhibition and Submissions

Following the Council resolution on 19 July 2022, the draft amended Redbank Voluntary Planning Agreement was publicly exhibited for 33 days between Thursday 28 July, and Monday 29 August 2022.

In addition to public notices, the exhibition material was contained on Council's community engagement site – Your Hawkesbury Your Say and a hard copy available to view at Council's Administration Building. Notification letters were sent out to a very broad area including North Richmond, Grose Wold and Grose Vale, with approximately 2,700 letters sent to property owners in the vicinity of the Redbank development, and the proposed location of the Grose River Bridge.

Following completion of the exhibition period a total of 377 submissions have been received by Council with 121 being in favour of the Voluntary Planning Agreement amendments and 256 not in favour of the Voluntary Planning Agreement amendments.

Copies of all submissions received have been included in Attachments 2, 3 and 4 to this report.

It should be noted that these submissions have been received in various formats, including individual comments through Your Hawkesbury Your Say, emails, correspondence and a series of screenshots of comments received on a private Facebook page.

Through these various submissions, the following themes have been identified:

- Support for the amended Voluntary Planning Agreement, and calling for no more delays in the bridge construction
- In favour of the Voluntary Planning Agreement as it will help with traffic congestion and provide an alternate route in times of flooding
- Not in favour of the Voluntary Planning Agreement as it will cause traffic congestion and hazardous road conditions
- Need to build a flood free bridge
- Voluntary Planning Agreement unsupported as it means the destruction of the dwelling and farm at 1 Ashton's Road, Grose Wold
- Various accusations made with respect to the matter.

In response to submissions raising issues with the new proposed location of the Grose River Bridge, the following discussion outlines key considerations associated with the route selection.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

Alternate Route

Figure 1 is a sketch that highlights the route identified in the original Redbank Voluntary Planning Agreement.



Figure 1 – Sketch of Existing Voluntary Planning Agreement Route

In July 2018, a sketch plan (Figure 2) was sent from Council to Redbank and Transport for NSW to provide an indicative proposed route to be investigated.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022



Figure 2 – Sketch of Indicative Proposed Alternate Route for Grose River Bridge

Following that, a series of meetings commenced in August 2018 to investigate new route options which were undertaken between Transport for NSW, Council, Redbank and their design consultants.

Relevant to the design parameters for this new route, Meeting 3 (November 2018) and Meeting 4 (January 2019) considered that the following were design parameters:

- Bridge to be above the 1:100 Flood level
- From Transport for NSW perspective given they were to be the acquisition authority, that the number of property acquisitions was to be minimised
- Route and design to meet Australian Standards (Design Speed 70km/h, Posted 60km/h)
- Based on the Design speed the minimum radius of any curves is 500m in order to avoid sharp curves and bends

Importantly, the design parameters for the alternate route were arrived at as a consequence of the various meetings involving Transport for NSW, Council, and Redbank, and there was no design brief prepared or issued ahead of those meetings.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

In this respect, the following extracts from Meeting Notes are provided.

Meeting No.3 held 12 November 2018

3.10	VPA scope only allows for providing shoulders to GRR and not a road upgrade. Property boundaries should not be impacted.	
	<u>Grose River Link Road (New Extension)</u>	
3.11	ARUP design based on 35m wide corridor. RMS suggested that this is too wide and can be reduced to 21 m wide. Arup to adjust where necessary, considering minimal impact on the Starr property and rationalize alignment accordingly.	ARUP
3.12	Headlight requirement dictates that a solution needs to be agreed for the area that dips towards Nutmans Creek i.e. either lighting to be provided or level raised to provide level road.	ARUP
	<u>Bridge over Grose River</u>	

Meeting No.4 held 30 January 2019

Item	Topic	Action
	community. To upgrade GRR to accommodate current posted speed limit will require a major reconstruction which is not allowed for in the current cost estimate.	
3.06	Small deviation of GRR at intersection with Ashtons Road to facilitate alignment with the new extension of GRR (link) which is to avoid the private land housing the horse stud.	Note
	<u>Grose River Link Road (New Extension)</u>	
3.07	Road designed to avoid the Starr property as per design brief	Note
3.08	Vertical alignment designed to 70kph with posted limit of 60kph. This reduced earthworks considerably but is inconsistent with current GRR posted speed limit of 80kph. This vertical alignment required street lighting to be allowed at the GRR/Ashtons Road intersection due to sight line requirements.	Note
	<u>Bridge over Grose River</u>	
3.08	Bridge design allows for pedestrian and cycle safe pathway within the current total design width of the bridge.	Note

Previous Draft Road Corridor Easements

Following consideration of providing a bridge crossing across the Grose River to connect into a higher level crossing of the Nepean River in this location, in 1986 a plan for easements through the (now) Starr property was prepared as shown in Figure 3 below:

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

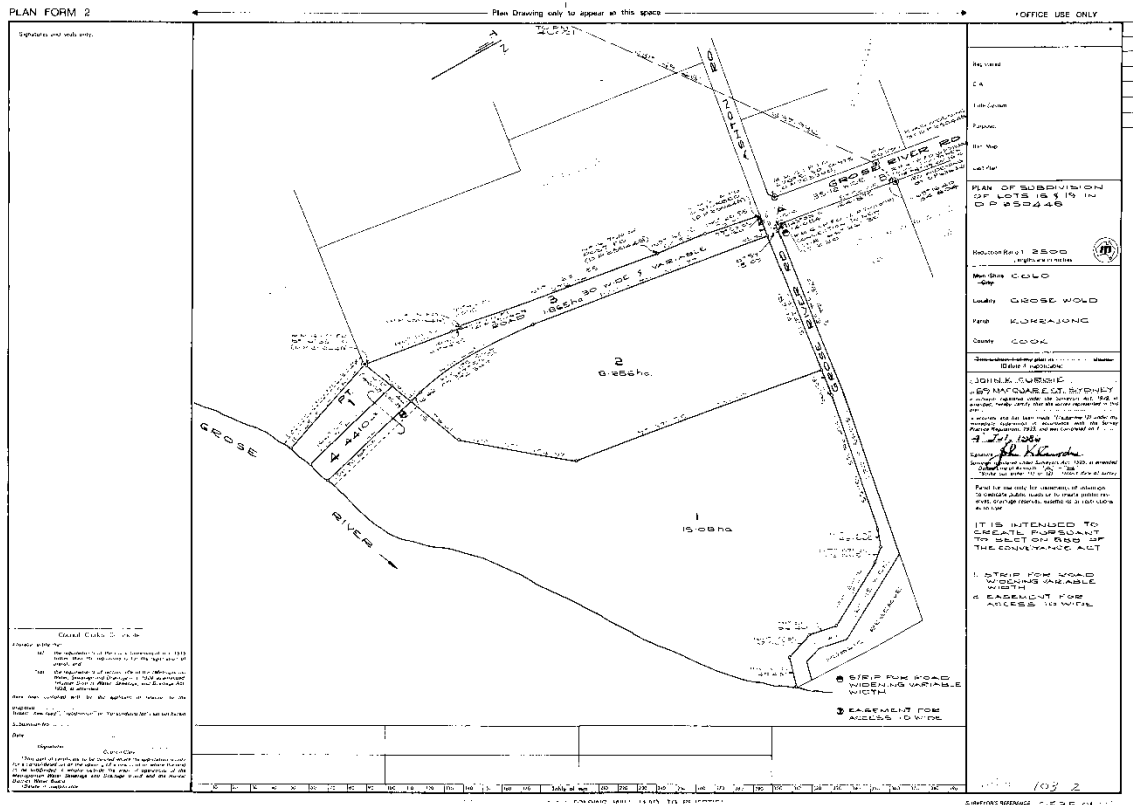


Figure 3 1986 Plan of Proposed Easements for Grose River Bridge (Note these were not registered on title)

In 1987, a 50% works subsidy to deliver the bridge from the then Roads and Traffic Authority was accepted in-principle by Council.

Later in 1987, Council resolved that due to the costs of acquisition and construction that the project would not proceed. This decision was also based on no proposal from the Roads and Traffic Authority to construct a high-level flood-free bridge of the Nepean River in this location.

In 1989, Council confirmed to the Roads and Traffic Authority it was not proceeding, and no action had been taken on road reservations.

As such, no easements are registered on title for this purpose.

Council Resolution February 2020

Based on the ongoing investigations into the route options by Transport for NSW, Council and Redbank, a report was presented to Council's Ordinary Meeting on 18 February 2020, where Council resolved (in part) as follows:

2. Council confirm its "In Principle" support for the proposed "Alternative Route" based on:
 - a) The fact that it does not involve any loss of public open space
 - b) The contribution it will make towards providing an alternative flood route for local residents
 - c) The offer of Roads and Maritime Services to acquire and fund land required for the alternative route.

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

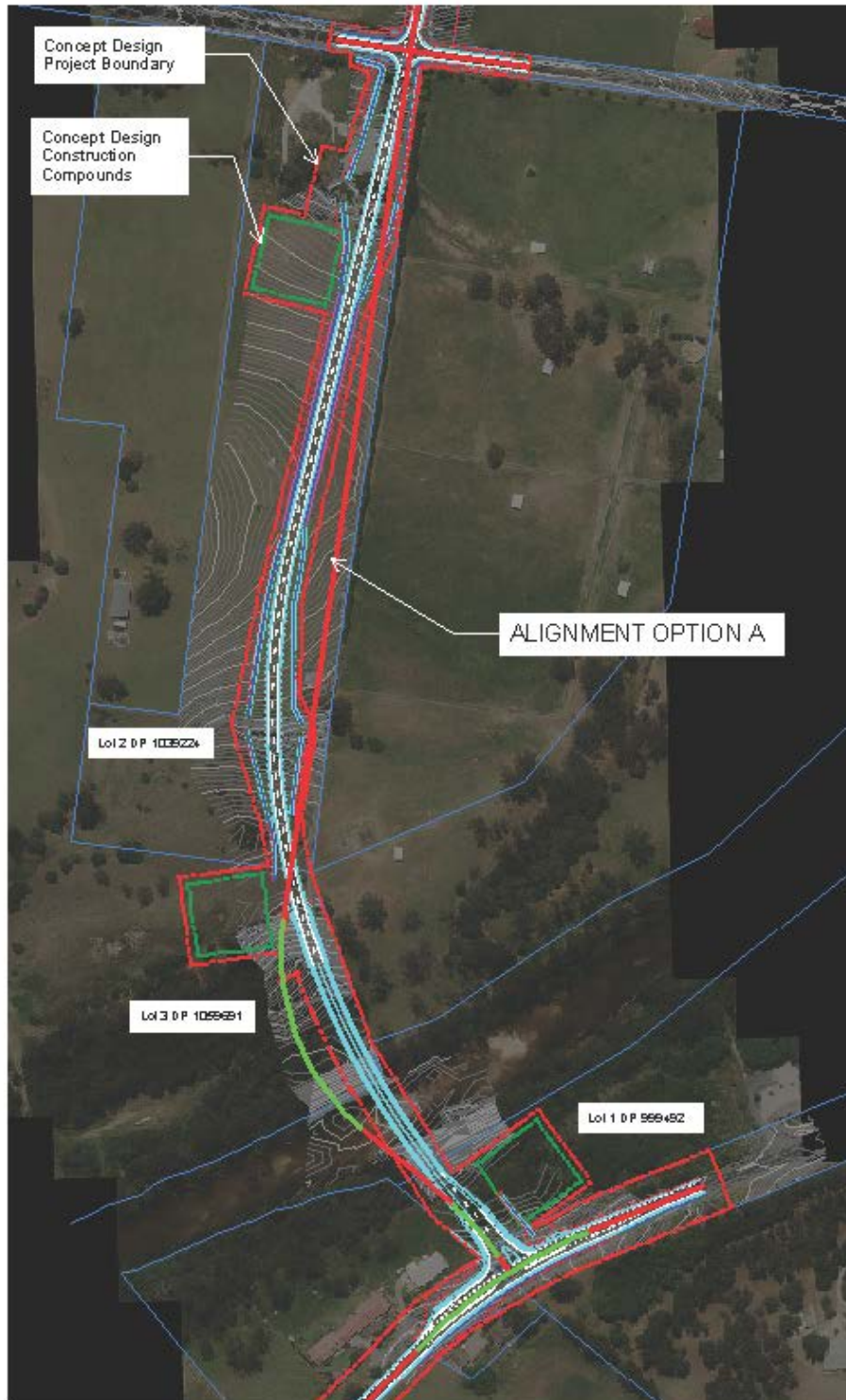
3. *Council staff work with the Developer and Roads and Maritime Services to draft a Memorandum of Understanding to confirm way forward, the key features of such a document to include:*
 - a) *Limiting Redbank's financial contribution to the cost of original "Navua" alignment (Grose River Road from Grose Valley Road to Springwood Road, via Navua Reserve) less expenditure (surveys, studies, plans, applications etc) to date*
 - b) *Finalising a new design, new costings, approval process, supporting documentation and revised timetable*
 - c) *Confirmation that Roads and Maritime Services will both acquire and fund the acquisition of land required for the revised crossing/alignment*
 - d) *Confirmation that Roads and Maritime Services will commence acquisition after July 2020.*

4. *Council staff initiate discussion with Roads and Maritime Services and other relevant State Agencies to establish a process for ensuring that the balance of the route between Grose Vale Road and Springwood is above the 1:100 flood level."*

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

Alternative Route Options – Retaining Dwelling Only

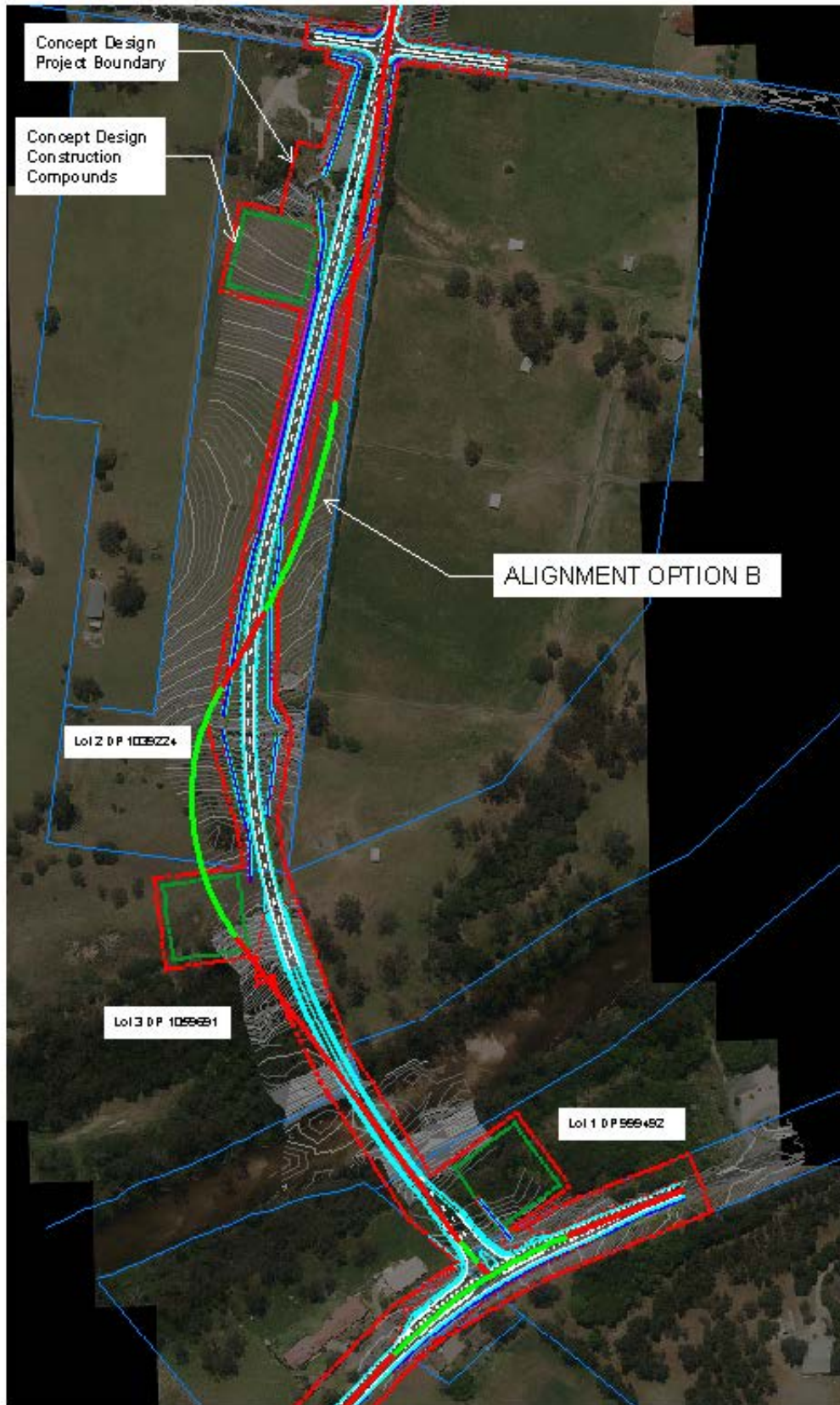
In February 2022, Redbank Communities engaged ARUP to review options that would allow for the retention of the dwelling at 1 Ashtons Road, Grose Wold. Those options are shown below in Figures 4 and 5:



OPTION A

Figure 4 – Option A – Alignment Parallel on Boundary

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022



OPTION B

Figure 5 – Alignment Parallel to Boundary with Reverse Curves on Approach

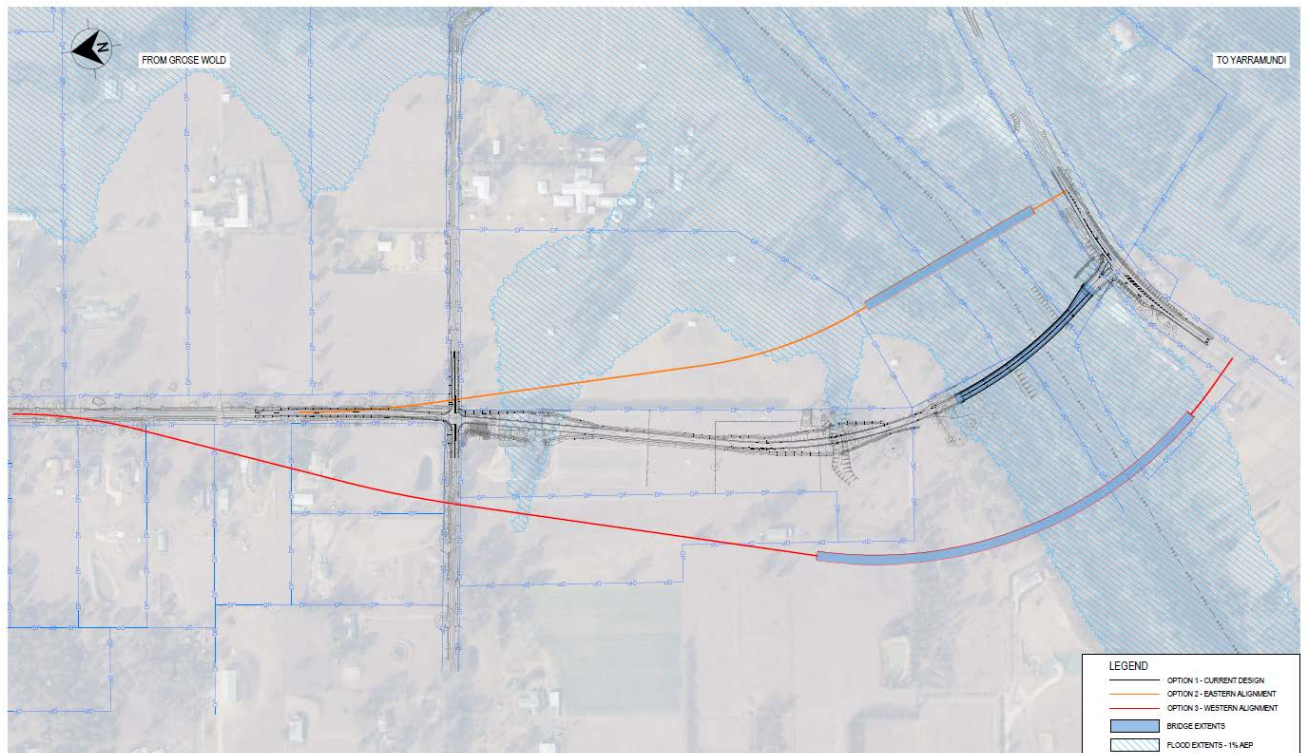
ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

However, the alternative options considered resulted in a combination of non-compliances in design, and increased impacts to property acquisition areas when compared with the Concept Design.

For these reasons, the concept design alignment remained the preferred alignment.

Alternative Route Options – Retain Entire Property

In August 2022, and following the Council meeting where Council resolved to exhibit the draft amended Voluntary Planning Agreement, Council requested Redbank Communities to compare alternate route alignments for consideration that avoided the property at 1 Ashtons Road, Grose Wold entirely, with the Concept Design whilst complying with the Australian Road design standards. Those options are shown in Figure 6:



Figures 7 and 8 provide details of the 1:100 and 1:20 flood levels in this locality, with the 1:100 level being a key consideration of previous Council resolutions relating to this matter.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022



Figure 7 - 1:100 Flood Level Extent Maps



Figure 8 - 1:20 Flood Level Extent Maps

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

In terms of those options, the following were the key findings:

Option 1 – Proposed Alternate Route to Original Voluntary Planning Agreement Route

- Route and access onto Springwood Road above 1:100 flood level
- Minimal earthworks
- 3 property owners affected (1 entirely, 2 partially)

Option 2 – Eastern Alignment (Starr Property)

- Access onto Springwood Road below 1:100 flood level
- Steeper terrain
- Higher costs – raising Springwood Road and the approach roads due to greater flood affectation

Option 3 – Western Alignment

- Route and access onto Springwood Road above 1:100 flood level
- Doubles length of bridge
- 7 property owners affected by the need for land acquisition

Based on these considerations Figure 10 shows the preferred route. It should be noted that this is an updated plan to the version that was publicly exhibited (Figure 9). Figure 10 maintains the route show in Figure 9 with a mark up of the works required by the developer (Redbank) including responsibilities associated with the new Grose River Bridge and road upgrades from Grose Vale Road, into Grose River Road, and across the new bridge to Springwood Road.

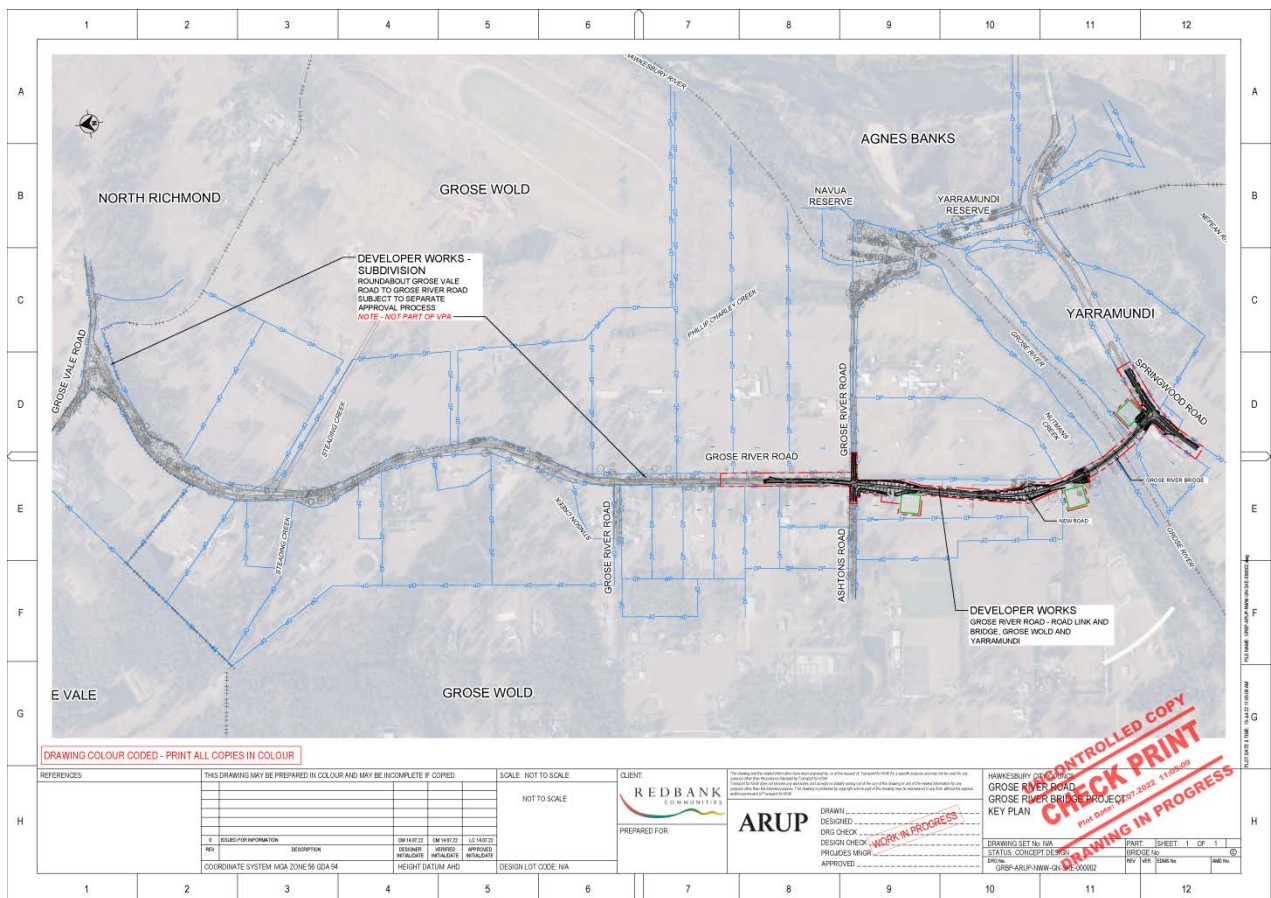


Figure 9 - Exhibited Plan

Based on these considerations, Figure 10 shows the preferred route.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

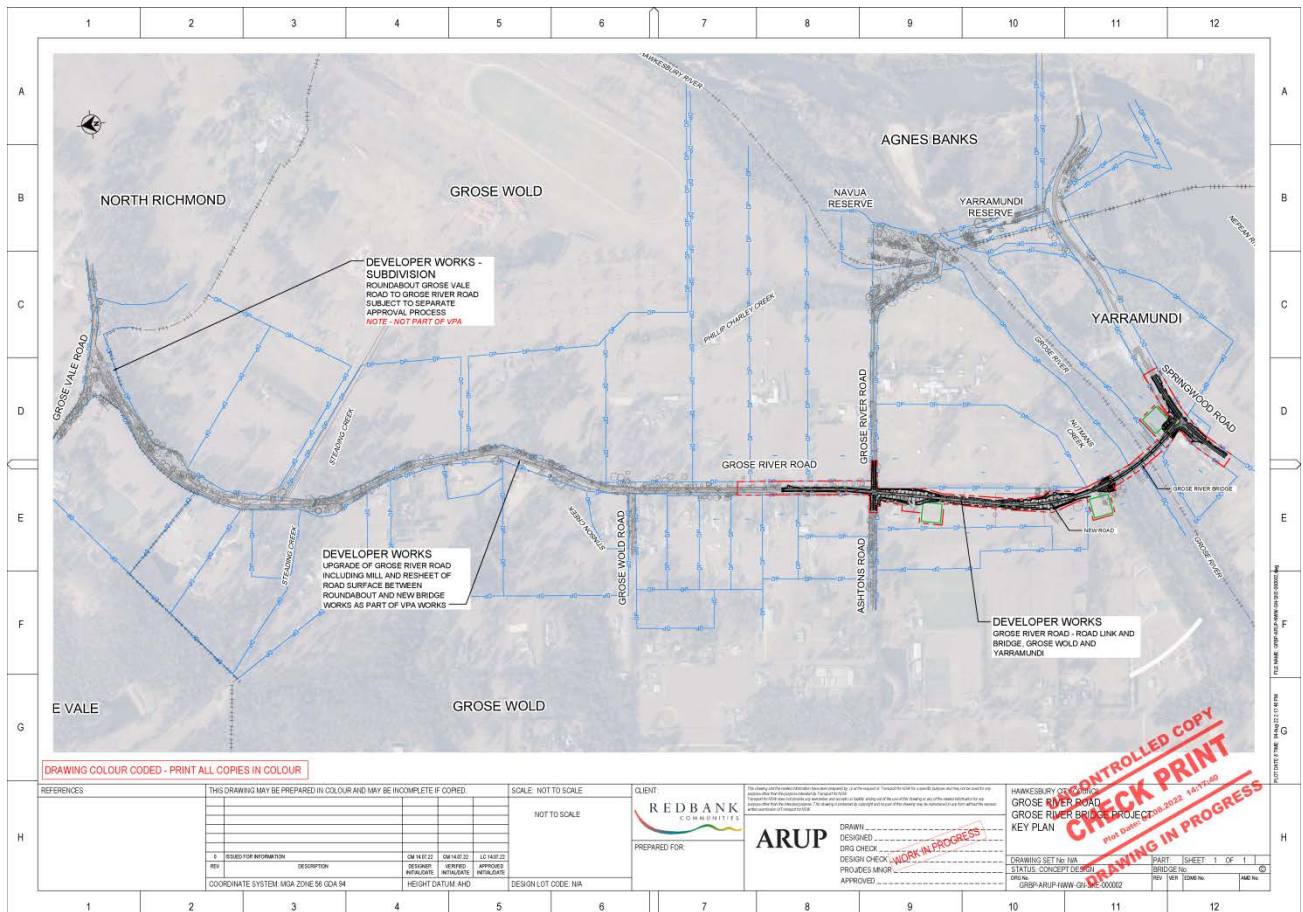


Figure 10 - Plan Showing Developer Works Associated with the Redbank Voluntary Planning Agreement

Relevant Legislation

The Environmental Planning and Assessment Act 1979
 The Environmental Planning and Assessment Regulation 2000

Summary of Proposed Changes to the VPA

The original milestones that were set for the delivery of the Grose River Bridge in the Voluntary Planning Agreement were based on estimates of allotment sales and development cash flow projection, estimates of timeframes for preparation of required studies, timeframe for assessment of such applications and times for construction activities.

Revisiting and amending the milestones is a necessary and integral part of this process to adapt to changes that have occurred during the life cycle of the development, whilst still achieving the community outcomes incorporated in the Voluntary Planning Agreement. The amendment of the milestones is a matter that is contemplated in the original Voluntary Planning Agreement, and the wording provides the parties with the discretion to make such amendments.

Following input from all three parties, the draft Amended Redbank Voluntary Planning Agreement was developed, and is the subject of this report. Whilst there are a number of changes proposed to reflect the alternate Grose River Bridge location and other variations to align with the lifecycle of the Redbank development, the fundamental structure of the Voluntary Planning Agreement is unchanged.

The key changes proposed in the amended Redbank Voluntary Planning Agreement can be summarised as follows:

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

- a) Minor housekeeping edits to reflect updated terminology and agency references and to fix typos.
- b) Definitions of terms.
- c) Changes related to the alternate location of the Grose River Bridge Crossing including additional and reworded clauses related to the compulsory acquisition of land (in part or whole) from private landowners (Transport for NSW did not need to acquire private land for the original Grose River Bridge Crossing alignment),
- d) Related to point (c), updates to provisions related to bank guarantees, bonds, and securities to protect Transport for NSW interests.
- e) Redrafting of the “trigger” clause for payment of the monetary contribution in lieu of the construction of the Bridge to ensure milestones used are equitable, reflect realistic time frames and balance each parties’ interests.
- f) Restructuring milestones that are linked to the Bridge approval or Transport for NSW acquisition process to allow rolling milestones to cover delays/uncertainty about the exact timing of land acquisitions by Transport for NSW. This would allow the current milestones to be retained but with provision to be extended by 10 lots for each month of delay.
- g) Changes to schedules to refer to current milestones (as adopted by Council) and amended plans relating to the revised Grose River Bridge location.
- h) Amend the milestone for practical completion of Peel Park from Lot 901 to Lot 915 to accommodate remediation (unexpected find - asbestos removal) and the potential need for an Aboriginal Heritage Impact Permit as a legislative requirement (if triggered by findings of current Aboriginal and archaeological investigations within Peel Park).

Key Timeline for the Proposed Bridge

Based on the revised milestones for the bridge the current timelines are:

- Development approvals for the project: June 2023 (801st land lot released)
- Construction documentation completed and submitted: December 2023 (865th land lot released)
- Practical completion of the bridge: June 2025 (1101st land lot released)

Within this timeline it is important to note that the timeline allows for property acquisition by Transport for NSW which could take 6 to 24 months.

As has been outlined in this report previously if any of these milestones are not met, the option of a monetary contribution can be triggered which will result in 95% of the money being paid to Transport for NSW and 5% to Council. There is no obligation for this money to be used to build a bridge.

Next Steps

The need to consider, exhibit and decide on the draft amended Redbank Voluntary Planning Agreement is linked to the application for construction of the Grose River Bridge made pursuant to Part 5 of the Environmental Planning and Assessment Act, 1979 on 11 April 2022. The Part 5 application and accompanying Review of Environmental Factors were recently exhibited from 12 May to 13 June 2022. As the Review of Environmental Factors has been prepared for Council by the Developer, Council has engaged an independent planning consultant to lead a team of consultants who are conducting the review of the Review of Environmental Factors.

To ensure the Part 5 application can be determined in accordance with the relevant adopted milestone in the Redbank Voluntary Planning Agreement (Milestone 2 - 801st urban lot anticipated as no later than June 2023) and that the timing of the Bridge delivery stays on track for practical completion in 2025, the draft amended Redbank Voluntary Planning Agreement progressed to public exhibition and is now reported to Council for determination.

The Part 5 Application cannot be determined until the amended Voluntary Planning Agreement is executed. Should Council resolve to amend the Voluntary Planning Agreement, the Part 5 Application under assessment by an external planning consultancy can be finalised.

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

COMMUNITY ENGAGEMENT

The issues raised in this report concern matters which constitute a trigger for Community Engagement under Council's Community Engagement Policy. Accordingly, the draft amended Redbank Voluntary Planning Agreement was placed on public exhibition between 28 July and 29 August 2022. The report has outlined above the details of the public exhibition.

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

The proposal is consistent with the following Long-Term Community Objectives set out within the CSP.

Reliable Council

- 4.1 Provide representative, responsive and accountable governance.
- 4.2 Encourage an informed community.
- 4.7 Encourage informed planning, balanced growth and community engagement.
- 4.8 Facilitate the delivery of infrastructure through relevant agencies and Council's own works.

FINANCIAL IMPACT

There are no additional financial implications from the recommendation in this report.

Planning Decision

As this matter is covered by the definition of a "planning decision" under Section 375A of the Local Government Act 1993, details of those Councillors supporting or opposing a decision on the matter must be recorded in a register. For this purpose a division must be called when a motion in relation to the matter is put to the meeting. This will enable the names of those Councillors voting for or against the motion to be recorded in the minutes of the meeting and subsequently included in the required register.

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

ATTACHMENTS:

- AT - 1** Amended Redbank Voluntary Planning Agreement and Explanatory Note - *(Distributed under separate cover)*.
- AT - 2** Submissions - YourHawkesbury-YourSay - *(Distributed under separate cover)*.
- AT - 3** Submissions - Email - *(Distributed under separate cover)*.
- AT - 4** Submissions - Social Media - *(Distributed under separate cover)*.

oooO END OF REPORT Oooo

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

Item: 153 **CP - Planning Proposal to Amend the Hawkesbury LEP 2012 Zoning Map from SP2 Infrastructure (Water Supply Infrastructure) to R5 Large Lot Residential - 4 Hall Street, Pitt Town - (124414, 95498)**

Directorate: City Planning

PLANNING PROPOSAL INFORMATION

File Number: LEP002/22
Property Address: 4 Hall Street, Pitt Town
Applicant: Planning Direction Pty Ltd
Owner: Sydney Water
Date Received: 1 July 2022
Current Minimum Lot Size: No Minimum Lot Size
Proposed Minimum Lot Size: 4,000m²
Current Zone: SP2 – Infrastructure (Water Supply System)
Proposed Zone: R5 Large Lot Residential
Site Area: 3,603m²

Key Issues: ♦ Sewer Connection

PURPOSE OF THE REPORT:

The purpose of this report is to:

- Advise Council of the receipt of a planning proposal for this site, and outline the advice of the Hawkesbury Local Planning Panel on this matter.
- Provide an assessment of the strategic and site-specific of the planning proposal.

EXECUTIVE SUMMARY

Council is in receipt of a Planning Proposal from Planning Direction Pty Ltd on behalf of Sydney Water, seeking to amend the Hawkesbury Local Environment Plan 2012 to rezone the subject site from SP2 - Infrastructure (Water Supply System) to R5 – Large Lot Residential, and introduce associated planning controls of a minimum lot size of 4,000m² and a building height limit of 10m.

RECOMMENDATION:

That:

1. Based on assessment of the planning proposal, and the advice of the Hawkesbury Local Planning Panel, Council supports this planning proposal with a requirement that connection to a sewer system is provided prior to granting the provisions to amend the Hawkesbury Local Environmental Plan 2012.
2. Council forward the Planning Proposal to the Department of Planning and Environment for a Gateway Determination.

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

BACKGROUND:

The subject site at 4 Hall Street, Pitt Town is owned by Sydney Water, and is currently zoned SP2 Infrastructure (Water Supply System). A steel reservoir was located on the north-eastern portion of the subject site which has now been removed. The subject site is surplus to Sydney Water needs and servicing requirements, and as such, Sydney Water intends to sell the land. To facilitate the sale of the property, Sydney Water are seeking to rezone the subject site to R5 Large Lot Residential.

Objectives and provisions of the Planning Proposal

The objective of the planning proposal is to amend the provisions of the Hawkesbury Local Environmental Plan 2012 to facilitate residential development on the subject site.

The objective of the planning proposal will be achieved by:

- Amending the Hawkesbury LEP 2012 Zoning Map to rezone the subject site from SP2 Infrastructure (Water Supply System) to R5 Large Lot Residential.
- Amending the Hawkesbury LEP 2012 Minimum Lot size Map to include a minimum lot size of 4,000m² applying to the subject site (consistent with adjoining sites).
- Amending the Height of Buildings Map to include a maximum building height of 10m applying to the subject site (consistent with adjoining sites).

A copy of the planning proposal is attached as Attachment 1 to this report.

Planning Controls

Table 1 Existing Planning Controls for the Subject Site

Zone	SP2 Infrastructure (Water Supply System)
Minimum Lot Size	No provision
Height of Buildings	No provision
Acid Sulfate Soils	Class 5 – Acid Sulfate Soil
Flood	Effected in 1 in 100 ARI and partly affected in Probable Maximum Flood
Biodiversity	Not affected
Sewer Scheme	Not connected to any sewer system
Sydney Water	Connected to Sydney Water supply
Heritage	The subject site is located within the Pitt Town Heritage Conservation Area. Immediately adjacent to the subject site is Heritage Item I297- “Cleary’s House”, 14-18 Hall Street, Pitt Town
Bushfire Prone Land	The subject site is mostly clear of bushfire affectation, except for the western corner which is within the 10m buffer of Bushfire Vegetation Category 3

The following figures highlight the subject site.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

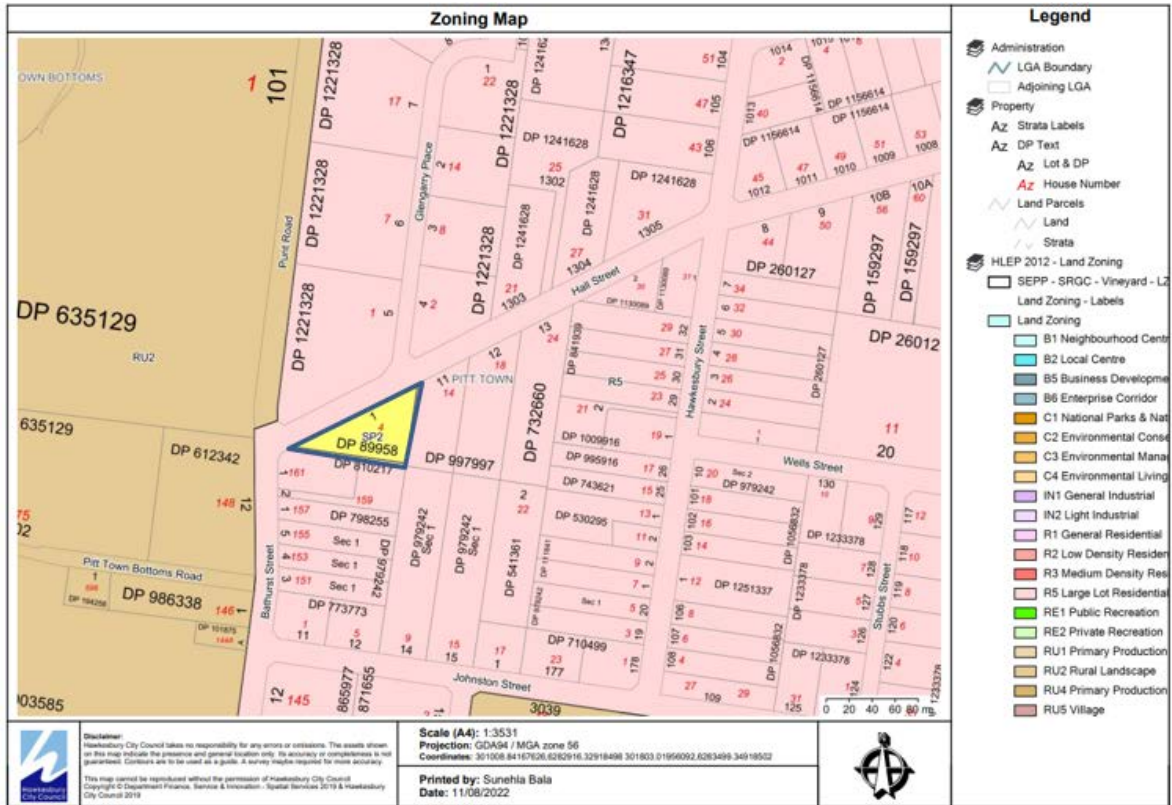


Figure 1 Zoning Map – Source: Hawkesbury IntraMaps

The subject site is currently zoned SP2 Infrastructure (Water Supply System). The water supply purpose of the subject site is no longer required.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

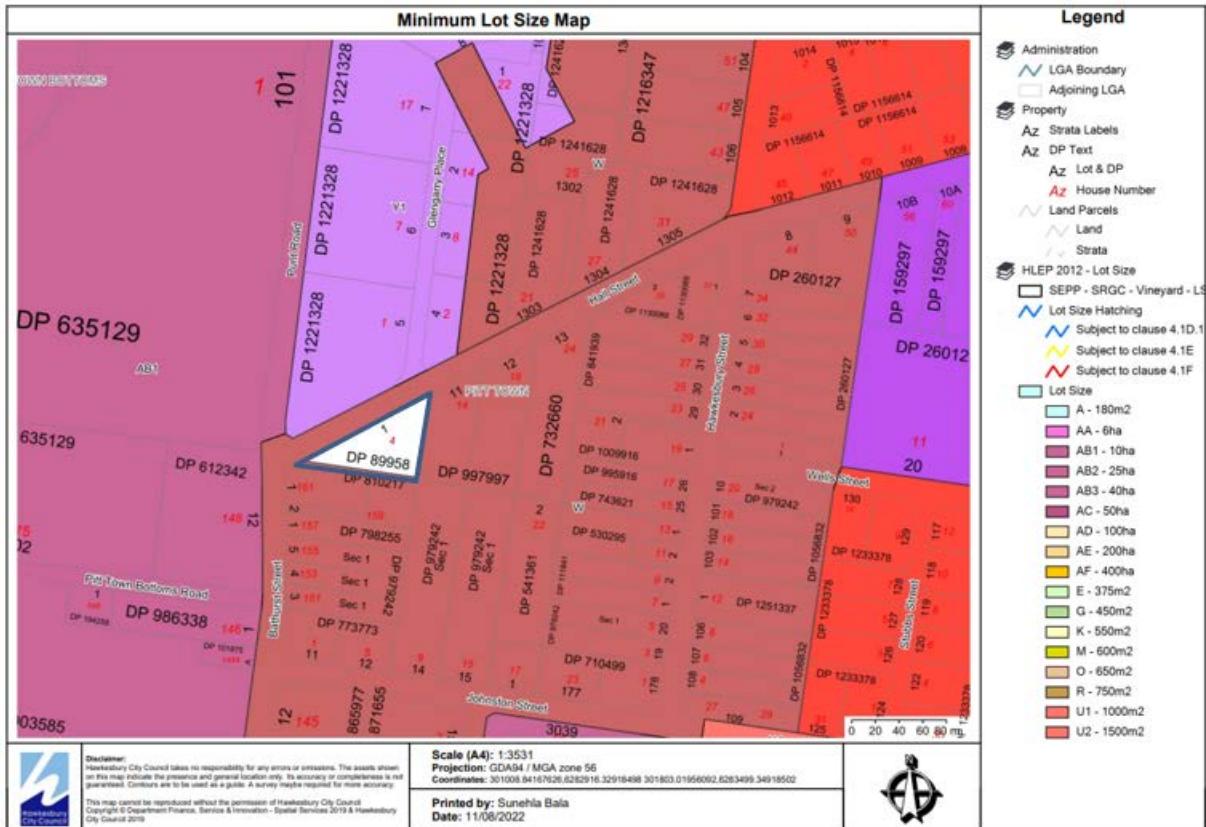


Figure 2 Minimum Lot Size Map - Source: Hawkesbury IntraMaps

The subject site currently has no Minimum Lot Size provisions.

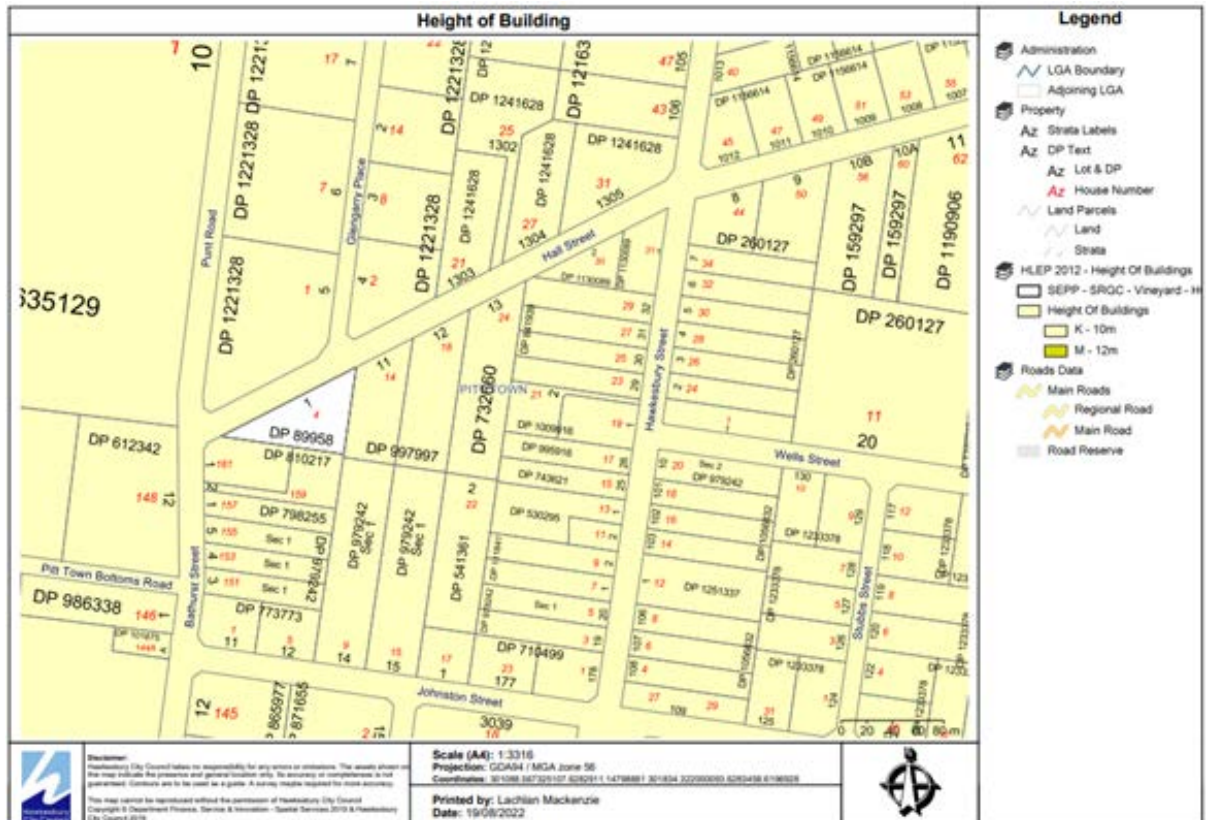


Figure 3 Height of Buildings Map – Source: Hawkesbury IntraMaps

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

The subject site currently has no Height of Building provisions.

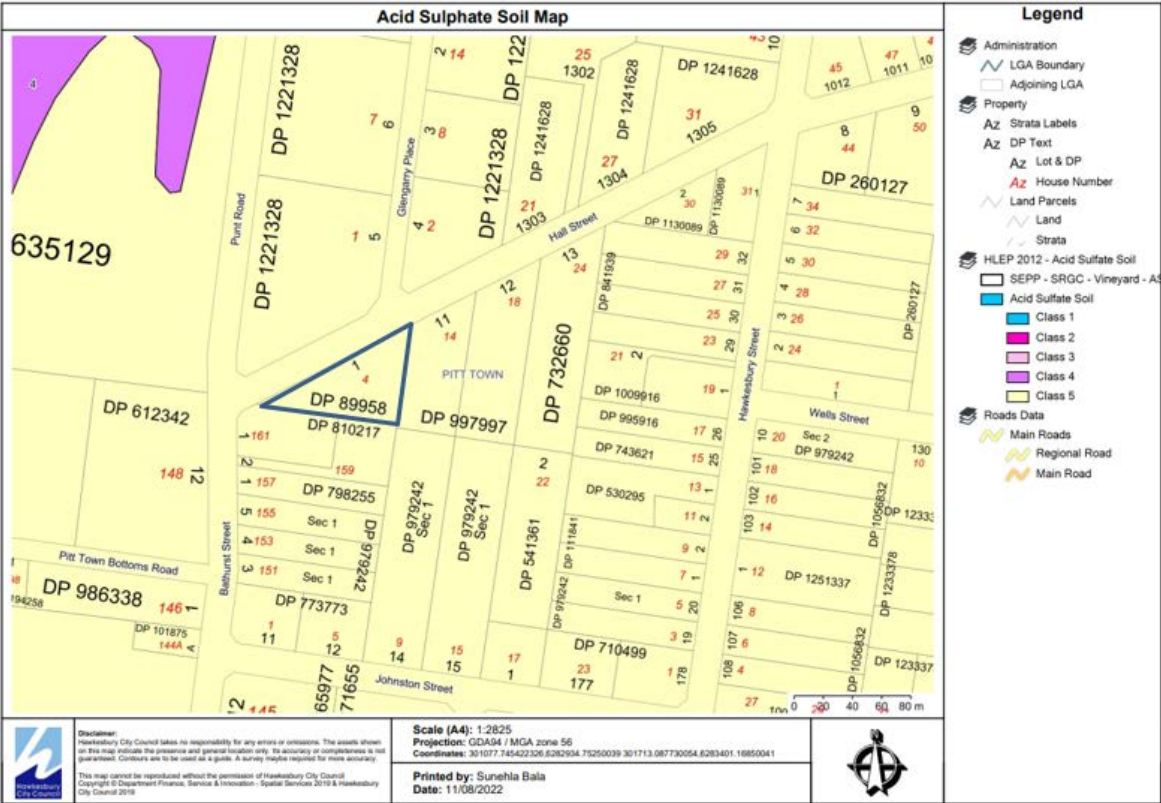


Figure 4 Acid Sulfate Soils Map - Source: Hawkesbury IntraMaps

The subject site is affected by Class 5 Acid Sulfate Soils. This class is not considered to have any significant impact on the environment, or on any future development of the subject site.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

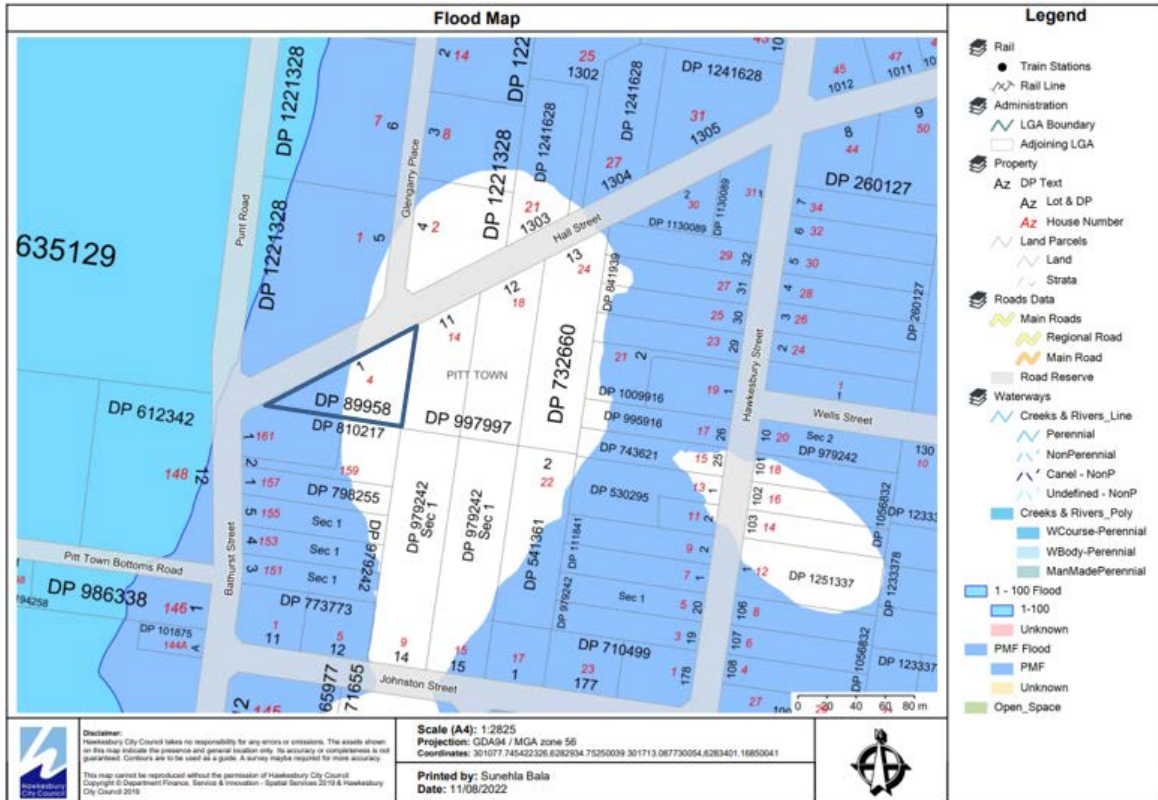


Figure 5 Flood Extents (1:100 and PMF) - Source: Hawkesbury IntraMaps

The subject site is not affected by the 1:100 ARI, however, is partially inundated in a Probable Maximum Flood event.

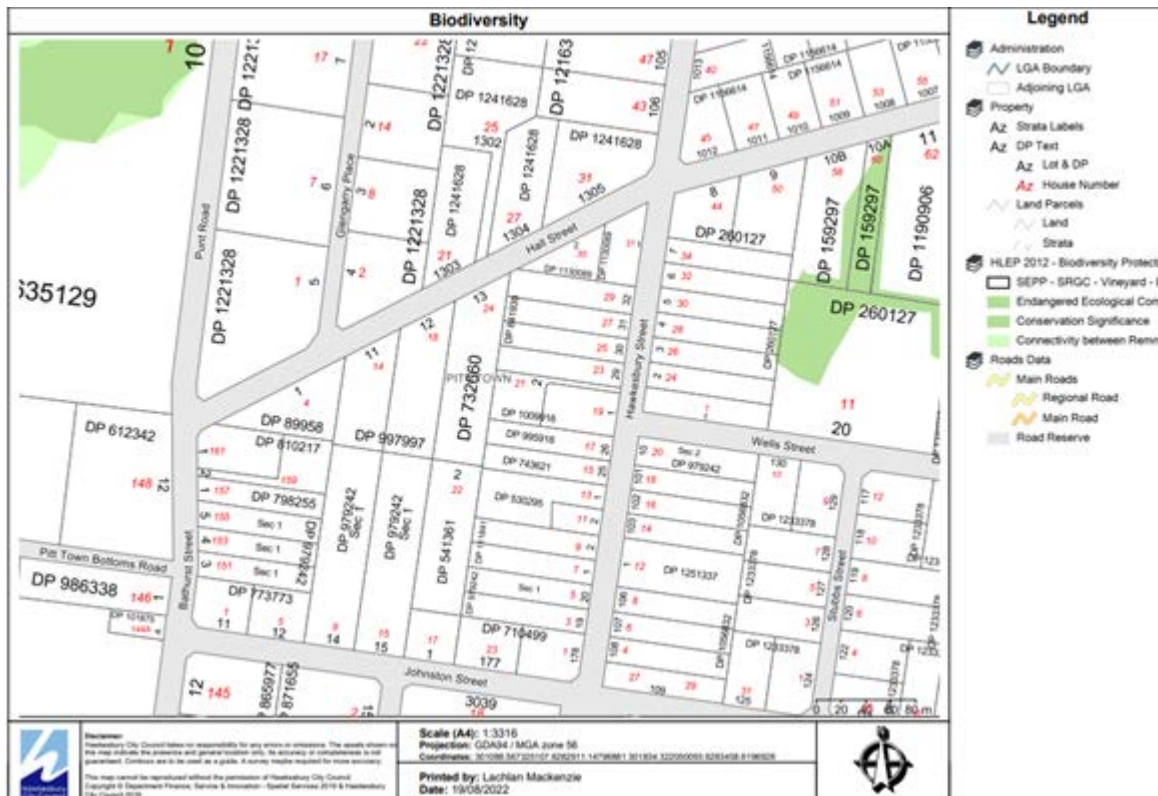


Figure 6 Biodiversity Protection Map - Source: Hawkesbury IntraMaps

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

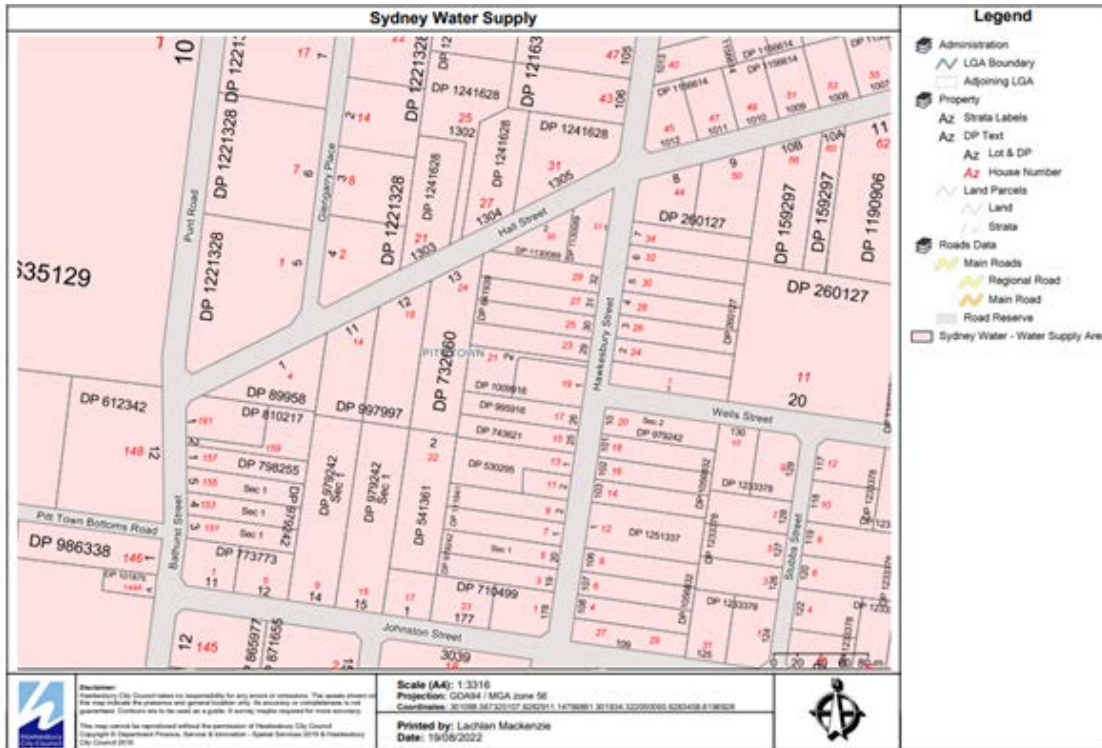


Figure 8 Sydney Water Supply - Source: Hawkesbury IntraMaps

The subject site is connected to the Sydney Water supply.

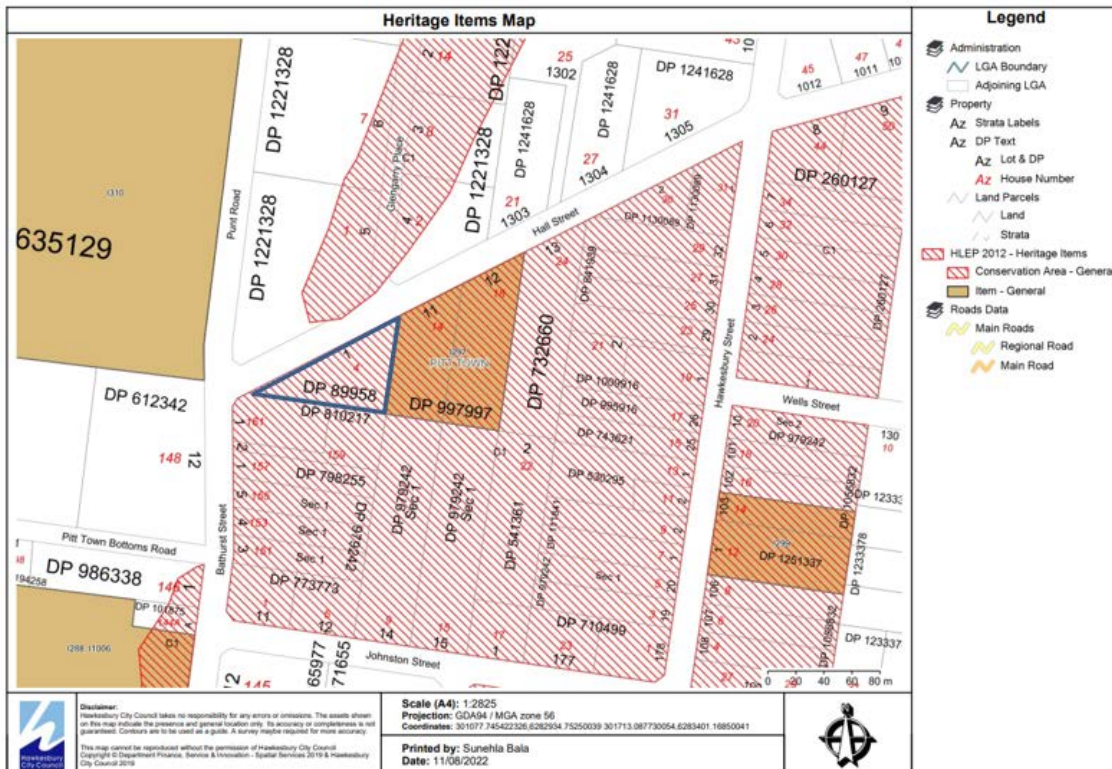


Figure 9 Heritage Map - Source: Hawkesbury IntraMaps

The subject site is within the Pitt Town Heritage Conservation Area, and immediately adjacent to a heritage listed item.

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

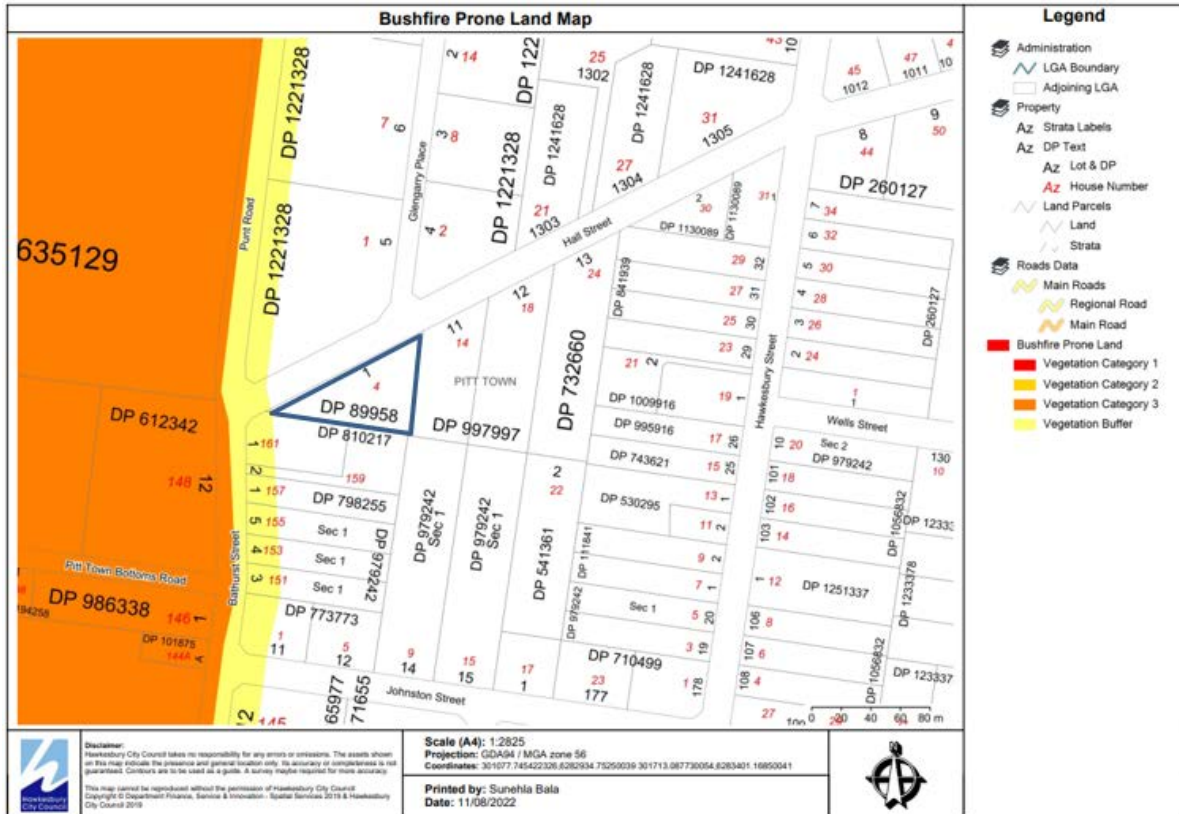


Figure 10 Bushfire Prone Land Map - Source: Hawkesbury IntraMaps

The subject site is not on bushfire prone land, however, a small portion in the western corner is within the 10m vegetation buffer area of Bushfire Category 3 Vegetation.

Justification of Site and Strategic Merit

The applicant has included the following justification for the planning proposal:

- Rezoning is consistent with the character of the immediate and broader area.
- No adverse impacts to the ensuing development on the single lot.
- Increases housing stock, meeting targets.
- Congruent with relevant strategic planning framework.

An analysis of these justifications is provided below:

Site Location and Characteristics

The subject site is located north of the Pitt Town commercial centre, within the Pitt Town Heritage Conservation Area. The subject site is surrounded by residential development, primarily R5 Large Lot Residential. Most necessary infrastructure and services including bus services and local amenities are located within close proximity of the subject site.

The planning proposal will result in increasing the capacity of residential development by an additional one dwelling within the Pitt Town residential area. Given that the subject site is located within a heritage conservation area and adjacent to a heritage listed item, the impact of any future development in the area, specifically, on the subject site will be considered during the development application stage.

The subject site will have to be connected to a sewerage system prior to being developed. The planning proposal does not have any major impact on the existing infrastructure and services provided in the Pitt Town area.

Detailed Site Investigation – Soil Testing

The planning proposal included an accompanying Detailed Site Investigation report, which provides findings of the soil testing and investigations conducted to determine the suitability of the site for residential use. The findings of this investigation are that low levels of contaminants were found in the soil samples likely as a result of paint flakes, which are below screening levels for residential use.

Additionally, the report identifies that in two samples Asbestos Containing Material was found, which were safely disposed of. The report concludes that the subject site is suitable for residential use, though recommends an 'emu pick' to ensure no further Asbestos Containing Material fragments remain on the site.

Relationship to Strategic Framework

Greater Sydney Region Plan

The Greater Sydney Region Plan, established by the Greater Sydney Commission, is the key strategic plan governing the direction and objectives of the future of Sydney. The Plan envisions a 'City of Three Cities', a multicentred future for Sydney that facilitates and co-ordinates the growth of Greater Sydney. The Plan outlines 10 directions, and 42 objectives guiding the future of Sydney. The planning proposal is consistent with the objectives of the Greater Sydney Region Plan, as it albeit modestly contributes to objectives centred around providing increased housing stock, helping to meet housing targets, and preserves and continues the social and environmental values of the area. A table containing an assessment against the Greater Sydney Region Plan is included in Attachment 2.

The Greater Sydney Region Plan has categorised most of the Hawkesbury as Metropolitan Rural Area, with the exception of the Vineyard Precinct in the Northwest Growth Centre. The role of the Metropolitan Rural Area is to retain the environmental and social character of these places, heavily restricting development. As stated in Objective 29 of the Plan, urban development is not consistent with the values of the Metropolitan Rural Area. This Plan identifies that Greater Sydney has sufficient land to deliver its housing needs within the current boundary of the Urban Area and Rural-residential development is not an economic value of the Metropolitan Rural Area and further rural-residential development in the Metropolitan Rural Area is generally not supported.

While this strategic context is in place, it is important that the Hawkesbury Local Government Area can continue to accommodate for its growing population and local demands. The Greater Sydney Region Plan does acknowledge that "limited growth of rural-residential development could be considered where there are no adverse impacts on the amenity of the local area and where the development provides incentives to maintain and enhance the environmental, social and economic values of the Metropolitan Rural Area."

The planning proposal is modest in the possible level of ensuing development, it allows for infill development on underutilised land, adverse impacts on amenity are unlikely, and natural and agriculturally productive land is not impacted. As such, it is considered that the proposal is consistent with the objective of the Metropolitan Rural Area.

Western City District Plan

The Western City District Plan elaborates on the directions of the Greater Sydney Region Plan, giving effect to the Plan by creating district specific priorities. The planning proposal is consistent with the objectives of the Western City District Plan as demonstrated in Attachment 3, with comparable evaluation of the Metropolitan Rural Area categorisation as outlined earlier.

Additionally, the Western City District Plan provides principles for future planning within the Hawkesbury-Nepean Valley. Relevant to this planning proposal is the principle; "providing for less intensive development or avoiding certain urban uses in areas of higher risk and allowing more intensive development in areas of lower flood risk, subject to an assessment of the cumulative impact of urban growth on regional evacuation road capacity and operational complexity of emergency management". Due to the subject site being situated above the 1:100 ARI level, and the low density, modest scale of the

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

proposal, it is considered to be consistent with this principle as it is not proposing intensive development that will cause a significant increase in demand on evacuation routes.

Hawkesbury Local Strategic Planning Statement 2040

The Hawkesbury Local Strategic Planning Statement 2040 responds to the Greater Sydney Region Plan and Western City District Plan, and outlines Council's intended actions in delivering the planning objectives. The proposal is consistent with community-based planning priorities targeted at preserving the local heritage and character of the Hawkesbury's towns and villages, whilst improving housing stock.

Additionally, being infill development on cleared underutilised land, the biodiversity and environmental value of the area is not compromised by the ensuing development. Attachment 4 details the assessment of the proposal against the Hawkesbury Local Strategic Planning Statement 2040.

State Environmental Planning Policies

The following State Environmental Planning Policies are relevant to the planning proposal:

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 4: Koala Habitat Protection 2021

The subject site is not part of a core koala habitat. Additionally, it is less than 1ha, and not subject to clause 4.2 development controls for koala habitats.

Chapter 6: Bushland in urban area

The subject site is currently zoned SP2 Infrastructure, and the land has previously been cleared. The provisions of this chapter do not apply to the subject site as it is not public open space or adjoined to open space.

Chapter 9: Hawkesbury-Nepean River

The planning proposal does not have any adverse impacts on the Hawkesbury-Nepean River, or its amenity.

Chapter 4: Remediation of land

The Detailed Site Investigation report submitted with the planning proposal highlighted that low concentration of contaminants were found on the site. The source of this contamination is likely as a result of paint flakes. Of importance, the Detailed Site Investigation reports that Asbestos Containing Material was identified in two locations, which was removed during the investigation. Despite these contaminants, the report concludes that the site meets screening levels for residential development, though recommends 'that an emu pick of the surface be undertaken before the site is divested to clear the site surface of Asbestos Containing Material fragments'

State Environmental Planning Policy (Resource and Energy) 2021

Chapter 3: Extractive Industries in Sydney

The planning proposal is for a residential zoning, and not for extractive industries. The proposal is not impacted by or impedes extractive industries.

The following State Environmental Planning Policies are not relevant to the planning proposal at this stage, however, will be relevant to any ensuing development should the proposal proceed:

- SEPP (Building Sustainability Index: BASIX) 2004
- SEPP (Exempt and Complying Development Codes) 2008

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

Attachment 5 provides further details of the planning proposal's consistency with State Environmental Planning Policies.

Local Planning Direction (Ministerial Directions)

Relevant to the planning proposal are the following ministerial directions:

Direction 1.1 Implementation of Regional Plans

Consistent - The planning proposal was assessed against regional plans, giving effect to the vision of these strategies.

Direction 1.3 Approval and Referral Requirements

Consistent – The planning proposal does not require concurrence, consultation or referral of development application to a minister or public authority.

Direction 1.4 Site Specific Provisions

Consistent - The proposed zoning is site appropriate, not requiring any site-specific provisions.

Direction 3.2 Heritage Conservation

Consistent - The amendment of zoning for the subject site is consistent with the Pitt Town Conservation Area. Heritage impacts of future development is a matter to be addressed upon submission of a future development application.

Direction 4.1 Flooding

Consistent - The subject site is above the 1:100 ARI flood planning area, allowing for rezoning from a SP2 Infrastructure zone to a residential zoning. In consideration that the subject site is partially inundated by the Probable Maximum Flood event, the planning proposal is consistent with this direction as it does not propose a significant increase of dwelling density, result in flood impacts on other properties or result in significant increased requirements for flood evacuation infrastructure or emergency services.

Direction 4.4 Remediation of Contaminated Land

Consistent - The Detailed Site Investigation report submitted with the planning proposal highlighted that low concentration of contaminants were found on the site. The source of this contamination is likely as a result of paint flakes. Of importance, the Detailed Site Investigation reports that Asbestos Containing Material was identified in two locations, which was removed during the investigation. The report concludes that the site meets screening levels for residential development, though recommends 'that an emu pick of the surface be undertaken before the site is divested to clear the site surface of Asbestos Containing Material fragments'

Direction 4.5 Acid Sulfate Soils

Consistent – The subject site contains category 5 acid sulfate soils, and as such, ensuing development will be subject to the requirements of clause 6.1 of the *Hawkesbury Local Environment Plan 2012*, which may require an acid sulfate soil management plan depending on proposed development with a development application.

Direction 5.1 Integrated Land Use and Transport

Consistent: The proposal provides for infill development in an existing town centre, and as such no adverse impacts on local transport or infrastructure are expected.

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

Direction 6.1 Residential Zones

Consistent: The planning proposal is infill development, and able to utilise existing services and infrastructure. The subject site is not serviced by a sewer system. Council's sewer system is unable to service this site due to capacity, and on-site effluent systems require a lot size of 4,000m² or greater. To service the subject site, the applicant is seeking connection to the private reticulated system available in the area. The applicant has provided Council with correspondence from the legal representative of this private system that confirms they are willing to provide connection to the subject site.

Direction 8.1 Mining, Petroleum production and Extractive Industries.

Consistent: Due to the lot size and being located in a residential area, the planning proposal does not impact the potential for extractive industries.

Attachment 6 further details the assessment of the planning proposal against the Ministerial Directions.

Hawkesbury Community Strategic Plan 2022-2042

The Hawkesbury Community Strategic Plan 2022-2042 provides broad objectives for the future of the Hawkesbury community over the next 20 years. The objectives are categorised into four community outcomes:

- A Great Place to Live
- Protected Environment and Valued History
- Strong Economy
- Reliable Council

The planning proposal is not inconsistent with any of the community outcomes or objectives of the Hawkesbury Community Strategic Plan 2022-2042.

Hawkesbury Local Housing Strategy

The Hawkesbury Local Housing Strategy provides a vision for the future of accommodating the predicted future population growth of the Hawkesbury Local Government Area. The Strategy acknowledges that housing capacity and future development is heavily constrained by both natural and built form constraints. These constraints highlight the importance of infill development in meeting accommodation for population growth and housing targets. Considering the subject site is above the 1:100 ARI flood level and is free of other constraints, it is considered to be a suitable site for a dwelling. Additionally, the Hawkesbury Local Housing Strategy identifies the following objectives of, the R5 Large Lot Residential Zoning:

- To provide for residential housing in a rural setting while preserving and minimising impacts on environmental sensitive locations and scenic quality.
- To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.
- To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To provide primarily for low density residential housing and associated facilities.

The proposal is consistent with these objectives, as the local character is retained, and no impacts on local infrastructure is expected. As such, an R5 Large Lot Residential zoning would be appropriate for the subject site.

Hawkesbury Rural Lands Strategy

The Hawkesbury Rural Lands Strategy provides direction for the management and preservation of the productivity of Hawkesbury's rural areas. The Strategy identifies R5 – Large Lot Residential areas which are highly prevalent within the Hawkesbury Local Government Area, typically fall within the category of

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

rural living. The Strategy acknowledges that typically the negatives of rural living such as cost of service provision and conflicts with rural production, often outweigh the positives. However, with site specific consideration, these negative factors are largely mitigated as the subject site sits within an existing R5 Zoned area. Additionally, most necessary services are available to the subject site and the lot size is too small to be used for agricultural purposes.

Strategic Merit

The planning proposal due to the modest scale of infill development that it facilitates has strategic merit, contributes in a minor way towards housing supply in the Hawkesbury Local Government Area, and preserves the natural and rural amenity of the area. It is consistent with Local, State and Regional strategies, and no impediments to the delivery of planning objectives and aims are identified.

Environmental, Social and Economic Impact

Development on the subject site is not anticipated to have any adverse environmental impacts as the land does not contain any critical habitat or threatened species, populations, or ecological communities. Additionally, the site is not bush fire affected, or affected by the 1:100 ARI flood, yet it is worth acknowledging that it would be isolated within the Pitt Town Flood Island in such an event.

The rezoning from SP2 - Infrastructure (Water Supply System) to R5 – Large Lot Residential is consistent with the character of the local area, and of the Pitt Town Heritage Conservation Area. The heritage impacts on neighbouring sites by future development is a matter for consideration through a future development application. As such, the proposal does not have any undesirable social impacts.

DISCUSSION

Recommendations of the Hawkesbury Local Planning Panel

This planning proposal was considered by the Hawkesbury Local Planning Panel at its Meeting on 18 August 2022. The advice from the Hawkesbury Local Planning Panel was to support this planning proposal on the condition that connection to the private sewer system is provided prior to granting the provisions to amend the Hawkesbury Local Environmental Plan 2012.

As per the Minutes of the Hawkesbury Local Planning Panel Meeting, in terms of the Panel Member who voted against the motion, the reasons for voting against the motion were recorded as follows:

That the site at a high level and its future use could better serve the Pitt Town community for other community services e.g to provide a telecommunication tower or similar as a crucial service at times of flood, rather than to be sold for residential. It is understood that telecommunications during times of flood are unreliable.

Despite this consideration the Hawkesbury Local Planning Panel resolved to support the planning proposal, and its submission to the Department of Planning and Environment for a Gateway Determination.

CONCLUSION

The rezoning of the subject site from SP2 – Infrastructure (Water Supply System) to R5 Large Lot Residential and applying associated planning controls of a minimum lot size of 4,000m² and maximum building height of 10m is consistent with the character of the area. Given that the subject site is within the Pitt Town Heritage Conservation Area, and adjacent to a heritage listed item, any impact due to future development of the subject site will be considered at the development application stage.

The planning proposal contains site-specific merit, as the subject site is adequately serviced by all required infrastructure except for access to sewer, which can be provided through the private reticulated system available in the area. Due to the provisions of the planning proposal only permitting low scale residential development of a single dwelling, any adverse impacts on flood evacuation routes and services are minimal. The planning proposal is also consistent with the Metropolitan Rural Area context.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

Planning Decision

As this matter is covered by the definition of a "planning decision" under Section 375A of the Local Government Act 1993, details of those Councillors supporting or opposing a decision on the matter must be recorded in a register. For this purpose a division must be called when a motion in relation to the matter is put to the meeting. This will enable the names of those Councillors voting for or against the motion to be recorded in the minutes of the meeting and subsequently included in the required register.

ATTACHMENTS:

- AT - 1** Planning Proposal 4 Hall Street, Pitt Town - *(Distributed under separate cover)*.
- AT - 2** Assessment Against Greater Sydney Region Plan.
- AT - 3** Assessment Against Western Sydney District Plan.
- AT - 4** Assessment Against Hawkesbury Local Strategic Planning Statement 2040
- AT - 5** Assessment Against State Environmental Planning Policy.
- AT - 6** Assessment Against Local Planning Direction (Ministerial Directions) - *(Distributed under separate cover)*.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

AT - 2 Assessment Against Greater Sydney Region Plan

Provision	Comment	Consistency
Infrastructure and Collaboration		
Direction 1: A City Supported by Infrastructure		
Objective 1: Infrastructure supports the three cities	NA	NA
Objective 2: Infrastructure aligns with forecast growth – growth infrastructure compact	NA	NA
Objective 3: Infrastructure adapts to meet future needs	NA	NA
Objective 4: Infrastructure use is optimised	NA	NA
Direction 2: A Collaborative City		
Objective 5: Benefits of growth realised by collaboration of governments, community and business	NA	NA
Liveability		
Direction 3: A City for People		
Objective 6: Services and infrastructure meet communities' changing needs	NA	NA
Objective 7: Communities are healthy, resilient and socially connected	NA	NA
Objective 8: Greater Sydney's communities are culturally rich with diverse neighbourhoods	NA	NA
Objective 9: Greater Sydney celebrates the arts and supports creative industries and innovation	NA	NA
Direction 4: Housing the City		
Objective 10: Greater housing supply	The conversion of zoning, whilst modest, does contribute to greater housing supply and meeting housing targets	Yes
Objective 11: Housing is more diverse and affordable	NA	NA
Direction 5: A City of Great Places		
Objective 12: Great places that bring people together	NA	NA

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

Provision	Comment	Consistency
Objective 13: Environmental heritage is identified, conserved and enhanced	Whilst the site isn't individually heritage listed, it is part of the Pitt Town Conservation Area, and the adjacent lot contains a locally heritage listed item. Heritage impacts are a matter to be addressed through the development application	Yes
Productivity		
Direction 6: A Well-Connected City		
Objective 14: <i>A Metropolis of Three Cities</i> – integrated land use and transport creates walkable and 30-minute cities	NA	NA
Objective 15: The Eastern, GOP and Western Economic Corridors are better connected and more competitive	NA	NA
Objective 16: Freight and logistics network is competitive and efficient	NA	NA
Objective 17: Regional connectivity is enhanced	NA	NA
Direction 7: Jobs and Skills for the City		
Objective 18: Harbour CBD is stronger and more competitive	NA	NA
Objective 19: Greater Parramatta is stronger and better connected	NA	NA
Objective 20: Western Sydney Airport and Badgerys Creek Aerotropolis are economic catalysts for Western Parkland City	NA	NA
Objective 21: Internationally competitive health, education, research and innovation precincts	NA	NA
Objective 22: Investment and business activity in centres	NA	NA
Objective 23: Industrial and urban services land is planned, retained and managed	NA	NA
Objective 23: Industrial and urban services land is planned, retained and managed	NA	NA

ORDINARY MEETING
SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

Provision	Comment	Consistency
Objective 24: Economic sectors are targeted for success	NA	NA
Sustainability		
Direction 8: A City in Its Landscape		
Objective 25: The coast and waterways are protected and healthier	NA	NA
Objective 26: A cool and green parkland city in the South Creek corridor	NA	NA
Objective 27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced	Urban bushland and vegetation are not present on the property, with rezoning encouraging infill development protecting immediate untouched biodiversity and bushland.	Yes
Objective 28: Scenic and cultural landscapes are protected	R5 zoning is appropriate for the character of the area and capitalises on the scenic rural landscape that draws the rural living in the area.	Yes
Objective 29: Environmental, social and economic values in rural areas are protected and enhanced	Conversion of zoning is consistent with neighbouring lots protecting and enhancing the environmental and social values of the area.	Yes
Objective 30: Urban tree canopy cover is increased	NA	NA
Objective 31: Public open space is accessible, protected and enhanced	NA	NA
Objective 32: The Green Grid links parks, open spaces, bushland and walking and cycling paths	NA	NA
Direction 9: An Efficient City		
Objective 33: A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change	NA	NA
Objective 34: Energy and water flows are captured, used and re-used	NA	NA
Objective 35: More waste is re-used and recycled to support the development of a circular economy	NA	NA

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

Provision	Comment	Consistency
Direction 10: A Resilient City		
Objective 36: People and places adapt to climate change and future shocks and stresses	NA	NA
Objective 37: Exposure to natural and urban hazards is reduced	NA	NA
Objective 38: Heatwaves and extreme heat are managed	NA	NA

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

AT - 3 Assessment Against Western Sydney District Plan

Provision	Comment	Consistency
Infrastructure and Collaboration		
Direction 1: A City Supported by Infrastructure		
Planning Priority W1 Planning for a city supported by infrastructure	NA	NA
Direction 2: A Collaborative City		
Planning Priority W2 Working through collaboration	NA	NA
Liveability		
Direction 3: A City for People		
Planning Priority W3 Providing services and social infrastructure to meet people's changing needs	NA	NA
Planning Priority W4 Fostering healthy, creative, culturally rich and socially connected communities	NA	NA
Direction 4: Housing the City		
Planning Priority W5 Providing housing supply, choice and affordability with access to jobs, services and public transport	The proposal modestly increases housing supply in a location with access to bus routes, and relatively close to a local centre.	Yes
Direction 5: A City of Great Places		
Planning Priority W6 Creating and renewing great places and local centres, and respecting the District's heritage	Residential dwellings are consistent with the Heritage Conservation Area. Heritage impacts of development a matter to be addressed through a development application.	Yes
Productivity		
Direction 6: A Well-Connected City		
Planning Priority W7 Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City	NA	NA
Direction 7: Jobs and Skills for the City		
Planning Priority W8 Leveraging industry opportunities from the Western Sydney Airport and Badgerys Creek Aerotropolis	NA	NA

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

Provision	Comment	Consistency
Planning Priority W9 Growing and strengthening the metropolitan cluster	NA	NA
Planning Priority W10 Maximising freight and logistics opportunities and planning and managing industrial and urban services land	NA	NA
Planning Priority W11 Growing investment, business opportunities and jobs in strategic centres	NA	NA
Sustainability		
Direction 8: A City in Its Landscape		
Planning Priority W12 Protecting and improving the health and enjoyment of the District's waterways	NA	NA
Planning Priority W13 Creating a Parkland City urban structure and identity, with South Creek as a defining spatial element	NA	NA
Planning Priority W14 Protecting and enhancing bushland and biodiversity	Urban bushland and vegetation are not present on the property, with rezoning encouraging infill development protecting immediate untouched biodiversity and bushland.	Yes
Planning Priority W15 Increasing urban tree canopy cover and delivering Green Grid connections	NA	NA
Planning Priority W16 Protecting and enhancing scenic and cultural landscapes	The rezoning of the land to R5 Zoning continues the cultural character of the immediate area, capitalising on the environmental landscape that facilitates the rural living demand.	Yes
Planning Priority W17 Better managing rural areas	Conversion of zoning is consistent with neighbouring lots protecting and enhancing the environmental and social values of the area.	Yes
Planning Priority W18 Delivering high quality open space	NA	NA
Direction 9: An Efficient City		
Planning Priority W19 Reducing carbon emissions and managing energy, water and waste efficiently	NA	NA

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

Provision	Comment	Consistency
Direction 10: A Resilient City		
Planning Priority W20 Adapting to the impacts of urban and natural hazards and climate change	NA	NA

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

AT - 4 Assessment Against Hawkesbury Local Strategic Planning Statement 2040

Provision	Comment	Consistency
Infrastructure		
Planning Priority 1 Ensure infrastructure aligns with current needs and future growth.	NA	NA
Planning Priority 2 Form Partnerships with stakeholders and agencies.	NA	NA
Community		
Planning Priority 3 Providing a diversity of housing types to meet the needs of the changing population.	NA	NA
Planning Priority 4 Protect and promote Aboriginal and European heritage and its transition into innovative, creative, and adaptive re-use.	Rezoning to R5 is consistent with the Pitt Town Conservation area, unlikely possible impact of development on adjacent heritage listed property can be appropriately assessed upon submission of development application	Yes
Planning Priority 5 Managing rural lands.	Infill development in Hawkesbury's towns and villages assist in retaining the rural character and productivity of surrounding area.	Yes
Planning Priority 6 Manage, enhance, and celebrate the distinctive heritage character of our towns, villages, and naturally landscaped environment.	The zoning and ensuing development is consistent with the social, environmental and heritage character of the area	Yes
Productivity		
Planning Priority 7 Promote and support all sectors of industry and businesses in the Hawkesbury to meet current and future demands and trends	NA	NA
Planning Priority 8 Explore opportunities at the Western Sydney University, Richmond RAAF Base, and other industries to create value chain at the Western Sydney Airport.	NA	NA
Planning Priority 9 Encourage the economic self-determination of the Aboriginal community through their landholdings and culture.	NA	NA
Sustainability		
Planning Priority 10 An aware and resilient city that can adapt to natural hazards of flood, bushfire, and climate change.	NA	NA

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

Provision	Comment	Consistency
Planning Priority 11 Protect our rivers, creeks, and areas of high biodiversity and environmental values.	Infill development on underutilised land preserves local biodiversity, and areas of environmental value.	Yes
Planning Priority 12 Champion, educate and support a transition to renewable waste and energy.	NA	NA

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

AT - 5 Assessment Against State Environmental Planning Policy

Title	Summary	Consistency of the Planning Proposal with the SEPP
Planning Systems:		
<ul style="list-style-type: none"> • State and Regional Development • Aboriginal Land • Concurrence and Consents 	<ul style="list-style-type: none"> • To identify developments that are state significant development, state significant infrastructure, critical state significant infrastructure and regionally significant development. • To provide for development delivery plans for areas of land owned by Local Aboriginal Land Councils to be considered and specific developments to be declared as regionally significant developments. • The concurrence and consents chapter prevails over an inconsistency with another environmental planning instrument to the extent of the inconsistency. 	<p>State and Regional Development- Apply to the State. Consistent</p> <p>Aboriginal Land – Does not apply to the Hawkesbury LGA</p> <p>Concurrence and Consents- Apply to the State. Consistent</p>
Biodiversity and Conservation:		
<ul style="list-style-type: none"> • Vegetation in non-rural areas • Koala Habitat Protection • River Murray Lands • Bushland in urban areas. • Canal estate development • Sydney drinking water catchment • Hawkesbury-Nepean River • Sydney harbour catchment • Georges rivers catchment • Willandra lakes region world heritage property 	<ul style="list-style-type: none"> • To protect the biodiversity values of vegetation in non-rural areas of the State. • To encourage conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reserves the current trend of koala population decline. • Conserve and enhance the riverine environment of the River Murray. • Protect and preserve the bushlands within urban areas. • Prohibit canal estate development. • Provide a healthy and high-quality water catchment. • Protect the environment of the Hawkesbury-Nepean River system. • To ensure that the Sydney Harbour catchment, foreshores, waterways and islands are recognised, protected and enhanced. • To protect, conserve and manage the world heritage – Willandra Lakes. 	<p>Vegetation in non-rural areas – Applies to the State/ Hawkesbury LGA. Consistent</p> <p>Koala Habitat Protection 2020– Apply to the State/ Hawkesbury LGA. Consistent</p> <p>Koala Habitat Protection 2021– Apply to the State/ Hawkesbury LGA. The subject site is not part of a core koala habitat. Additionally, it is less than 1ha, and not subject to 4.2 development controls for koala habitats.</p> <p>Consistent</p> <p>Bushland in Urban Areas – Apply to the State. The site is currently zoned SP2 Special Purpose infrastructure, and the land has been cleared accordingly. The provisions of this chapter do not apply to the subject site as it is not public open space or adjoined to open space. Consistent</p> <p>Canal State Development – Apply to the State. Consistent</p>

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

		<p>Hawkesbury-Nepean River – Apply to the Hawkesbury LGA.</p> <p>9.5.1 Total Catchment Management Planning Proposal would not have any impact on the catchment or areas downstream from subject site.</p> <p>9.5.2 Environmentally Sensitive Areas The Planning proposal would not have any impact on the environmental quality of the Hawkesbury-Nepean catchment.</p> <p>9.5.3 Water Quality The Planning Proposal would not have any impact on the water quality.</p> <p>9.5.4 Water Quantity The Planning Proposal would not impact the flow characteristics of surface or groundwater in the catchment</p> <p>9.5.5 Cultural Heritage The Planning Proposal would not hinder the rivers contribution to the significance of items and places of cultural heritage.</p> <p>9.5.6 Flora and Fauna No biodiversity, or ecological protected areas, or features are found on site. The planning proposal would not have an impact on the river catchments flora and fauna.</p> <p>9.5.7 Riverine Scenic Quality The Planning Proposal would not impact the river's scenic quality.</p> <p>9.5.8 Agriculture/Aquiculture and Fishing The Planning Proposal would allow for continued use of the river for agriculture/aquiculture and fishing.</p> <p>9.5.9 Rural Residential Development The subject site is not rurally zoned.</p> <p>9.5.10 Urban Development Consideration of adverse impacts will be assessed and controlled at all stages, though adverse environmental impacts are unlikely.</p>
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ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

		<p>9.5.11 Recreation and Tourism The planning proposal does not hinder the tourism capacity of the area.</p> <p>9.5.12 Metropolitan Strategy The planning proposals assessment against metropolitan strategies has been considered Consistent</p> <p>Sydney drinking water catchment- Apply to the Hawkesbury LGA. Consistent</p> <p>Georges rivers catchment- Does not apply to the LGA</p> <p>Willandra lakes region world heritage property Does not apply to the Hawkesbury LGA</p>
Title	Summary	Consistency of the Planning Proposal with the SEPP
Resilience and Hazards:		
<ul style="list-style-type: none"> • Coastal Management • Hazardous and offensive development • Remediation of Land 	<ul style="list-style-type: none"> • Promote the integrated and coordinated approach to land use planning in the coastal zone. • To ensure that hazardous and offensive industries developments does not have adverse impacts. • Provides a State-wide planning approach for the remediation of contaminated land. 	<p>Coastal Management- Apply to the State. Consistent</p> <p>Hazardous and offensive development- Apply to the State. Consistent</p> <p>Remediation of Land – Apply to the State.</p> <p>4.6 Contamination and remediation to be considered in determining development application: Detailed Site Investigation report submitted alongside planning. This report finds that low concentration of contaminants was found on site. The source of this contamination is likely as a result of paint flakes. Of importance, the Detailed Site Investigation reports that ACM (Asbestos Containing Material) was identified in 2 locations. This material was removed during the investigation. Despite these contaminants, the report concludes that the site meets screening levels for residential development, though recommends ‘that an emu pick of the surface be undertaken before the site is divested to clear the site surface of ACM fragments’ Consistent</p>

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

Title	Summary	Consistency of the Planning Proposal with the SEPP
Transport and Infrastructure:		
<ul style="list-style-type: none"> • Infrastructure • Educational establishments and childcare facilities • Major infrastructure corridors • Three Ports – Port Botany, Port Kembla and Newcastle 	<ul style="list-style-type: none"> • To facilitate the effective delivery of infrastructure across the State. • To facilitate the effective delivery of educational establishments and early education and childcare facilities across the State. • To identify and reserve land for future infrastructure corridor. • To ensure consistency of development and delivery of infrastructure on lands in Port Botany, Port Kembla and Port of Newcastle. 	<p>Infrastructure – Apply to the State. Consistent</p> <p>Educational establishments and childcare facilities- Applies to the State. Consistent</p> <p>Major infrastructure corridors – Does not apply to the Hawkesbury LGA</p> <p>Three Ports – Port Botany, Port Kembla and Newcastle – Does not apply to the Hawkesbury LGA – Does Not Apply to the Hawkesbury LGA</p>
Industry and Employment:		
<ul style="list-style-type: none"> • Western Sydney Employment Area • Advertising and Signage 	<ul style="list-style-type: none"> • To promote economic development and creation of employment in the Western Sydney Employment Area. • To ensure that signage is compatible, effective, and regulated. 	<p>Western Sydney Employment Area – Does not apply to the Hawkesbury LGA</p> <p>Advertising and Signage – Apply to the State. Consistent</p>
Resources and Energy:		
<ul style="list-style-type: none"> • Mining, Petroleum production and extractive industries • Extractive industries in Sydney area 	<ul style="list-style-type: none"> • To provide for the proper management and development of mineral, petroleum and extractive material resources and promote social and economic welfare of the State. • To facilitate extractive resources development in the Sydney Metropolitan Area. 	<p>Mining, Petroleum production and extractive industries- Applies to the State - Consistent</p> <p>Extractive industries in Sydney area – Apply to the Hawkesbury LGA. The planning proposal is for residential zoning, and not for extractive industries. The proposal is not impacted by, or impedes and extractive industries. Consistent</p>
Primary Production:		
<ul style="list-style-type: none"> • Primary production and Rural Development • Sustainable aquaculture • Central Coast Plateau areas 	<ul style="list-style-type: none"> • To facilitate the orderly economic use and development of lands for primary production. • To encourage sustainable aquaculture in the State, namely, aquaculture development which uses, conserves and enhances the community’s resources so that the total quality of life now and in the future can be preserved and enhanced. • To protect the Central Coast plateau areas and provide a basis for evaluating competing land uses. 	<p>Primary production and Rural Development – Apply to the State. Consistent</p> <p>Sustainable aquaculture – Apply to the State/ Hawkesbury LGA. Consistent</p> <p>Central Coast Plateau areas – Does not apply to the Hawkesbury LGA</p>

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

Title	Summary	Consistency of the Planning Proposal with the SEPP
Western Parkland City:		
<ul style="list-style-type: none"> • State Significant Precincts • Sydney Region Growth Centres • Western Sydney Aerotropolis • Penrith Lakes Scheme • Sydney Regional Environmental Plan No 30- St Marys 	<ul style="list-style-type: none"> • To facilitate the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State. • To co-ordinate the release of land for residential, employment and other urban development in the North-West Growth Centre, the South-West Growth Centre, the Wilton Growth Area and the Greater Macarthur Growth Area. • To facilitate development in the Western Sydney Aerotropolis in accordance with the objectives and principles of the Western Sydney Aerotropolis Plan. • To provide a development control process that ensures that environmental and technical matters are considered in the implementation of the Penrith Lakes Scheme. • To provide a framework for the sustainable development and management of the land at St Marys. 	<p>State Significant Precincts– Does not apply to the Hawkesbury LGA</p> <p>Sydney Region Growth Centres– Apply to the Hawkesbury LGA. Consistent.</p> <p>Western Sydney Aerotropolis– Does not apply to the Hawkesbury LGA</p> <p>Penrith Lakes Scheme– Does not apply to the Hawkesbury LGA</p> <p>Sydney Regional Environmental Plan No 30- St Marys– Does not apply to the Hawkesbury LGA</p>
Precincts Eastern Harbour City:		
<ul style="list-style-type: none"> • State significant precincts • Darling Harbour • City West • Walsh Bay • Cooks Cove • Moore Park Showground 	<ul style="list-style-type: none"> • To facilitate the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State. • To establish planning principles of regional significance for City West as a whole with which development in City West • To protect the heritage significance, encourage adaptive re-use of buildings, to ensure developments are compatible commercial shipping and navigational requirements of Sydney Harbour. • To develop the Cooks Cove that promotes the ecological sustainability of the site. • To enable redevelopment of Moore Park Showground which highlights the significance of the park. 	<p>State significant precincts– Does not apply to the Hawkesbury LGA</p> <p>Darling Harbour– Does not apply to the Hawkesbury LGA</p> <p>City West– Does not apply to the Hawkesbury LGA</p> <p>Walsh Bay– Does not apply to the Hawkesbury LGA</p> <p>Cooks Cove– Does not apply to the Hawkesbury LGA</p> <p>Moore Park Showground– Does not apply to the Hawkesbury LGA</p>

ORDINARY MEETING
SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

Title	Summary	Consistency of the Planning Proposal with the SEPP
Central River City:		
<ul style="list-style-type: none"> • State Significant Precincts • Sydney Region Growth Centres • Homebush Bay Area • Kurnell Peninsula • Urban Renewal Precincts 	<ul style="list-style-type: none"> • To facilitate the state significant development, redevelopment or protection of urban, coastal and regional sites of economic, environmental and social values. • to co-ordinate the release of land for residential, employment and other urban development in the North-West Growth Centre, the South- West Growth Centre, the Wilton Growth Area and the Greater Macarthur Growth Area. • To encourage co-ordinated and environmentally sensitive development of the Homebush Bay Area. • To conserve the natural environment of the Kurnell Peninsula and ensure that development is managed having regard to the environmental, cultural and economic significance of the area to the nation, State, region and locality. • To establish the process for assessing and identifying sites as urban renewal precincts. 	<p>State Significant Precincts – Does not apply to the Hawkesbury LGA</p> <p>Sydney Region Growth Centres- Does not apply to the Hawkesbury LGA</p> <p>Homebush Bay Area- Does not apply to the Hawkesbury LGA</p> <p>Kurnell Peninsula- Does not apply to the Hawkesbury LGA</p> <p>Urban Renewal Precincts- Does not apply to the Hawkesbury LGA</p>
Housing		
<ul style="list-style-type: none"> • Affordable Housing • Diverse Housing 	<ul style="list-style-type: none"> • Aims to provide a consistent planning regime for the provision of affordable housing and facilitate the effective delivery of affordable housing • Aims to encourage the provision of housing to meet the needs of seniors or people with a disability. • Aims to supply affordable and diverse housing in the right places for every stage of life. • Aims to facilitate the proper management and development of land used for caravan parks catering to the provision of accommodation to short- and long-term residents. • To facilitate the establishment of manufactured home estates as a contemporary form of medium density residential development that provides an alternative to traditional housing arrangements. 	<p>Affordable Housing– Apply to the State/ Hawkesbury LGA. Consistent</p> <p>Diverse Housing – Apply to LGA Consistent</p>

ORDINARY MEETING
SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

Title	Summary	Consistency of the Planning Proposal with the SEPP
Design Quality of Residential Flat Development		
Design Quality of Residential Flat Development- SEPP 65	<ul style="list-style-type: none"> Aims to improve the design qualities of residential flat building development in New South Wales. 	Design Quality of Residential Flat Development – Apply to the State/ Hawkesbury LGA. Consistent
Exempt and Complying Development Code		
Exempt and Complying Development Code	<ul style="list-style-type: none"> Aims to provide streamlined assessment process for development that complies 	Exempt and Complying CODE – Apply to the State/ Hawkesbury LGA. Consistent
Building Sustainability Index – BASIX		
Building Sustainability Index – BASIX	<ul style="list-style-type: none"> Encourage sustainable residential development and ensure consistency in the implementation of the BASIX scheme throughout the State. 	BASIX – Apply to the State/Hawkesbury LGA. Consistent

oooO END OF REPORT Oooo

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

Item: 154 **CP - Planning Proposal to Amend the Hawkesbury LEP 2012 to reduce the Minimum Lot Size provisions from 2,500m² to 1,000m² - 30A, 30B, 30C and 34 Mitchell Road, Pitt Town - (124414, 95498)**

Previous Item: 233, Ordinary (26 November 2013)
 223, Ordinary (25 November 2014)

Directorate: City Planning

PLANNING PROPOSAL INFORMATION

File Number: LEP001/22
Property Address: 30A, 30B, 30C and 34 Mitchell Road, Pitt Town
Applicant: PMO Planning Services Pty Ltd
Owner: Ghant Project Managers Pty Ltd
Date Received: 9 May 2022
Current Minimum Lot Size: 2,500m²
Proposed Minimum Lot Size: 1,000m²
Current Zone: R5 Large Lot Residential
Site Area: 7.98 Hectares

Key Issues: ♦ Minimum Lot Size
 ♦ Flooding
 ♦ Flood Evacuation Route and Bus Route

PURPOSE OF THE REPORT:

The purpose of this report is to inform Council that an applicant initiated planning proposal for 30A, 30B, 30C and 34 Mitchell Road, Pitt Town has been received by Council, to highlight the advice of the Hawkesbury Local Planning Panel, and to seek Council's consideration on the matter.

EXECUTIVE SUMMARY:

The planning proposal seeks to amend the Hawkesbury Local Environmental Plan (LEP) 2012, Minimum Lot Size Map relevant to the subject site from 2,500m² to 1,000m². This amendment will allow the applicant to increase the development yield under the present zoning from 26 lots to 64 lots (an increase of 38 lots). As part of the planning proposal, the applicant is offering to construct a section of the Flood Evacuation Route and a bus route through a Voluntary Planning Agreement.

RECOMMENDATION:

That based on the advice of the Hawkesbury Local Planning Panel, Council does not support the planning proposal to amend the Minimum Lot Size provision of 1,000m² for the subject site given:

1. The planning proposal has not adequately demonstrated that the only feasible means of delivering part of the Pitt Town Flood Evacuation Route is by reducing the minimum lot size of the subject site to 1,000m².
2. Such a significant reduction in lot sizes does not have strategic or site specific merit or is in the public interest, and it would be more appropriate for other options for the delivery of the Pitt Town Flood Evacuation Route to be explored, including:
 - public funding opportunities, for example, existing contributions, grant funding and the like, to deliver the full extent of the Pitt Town Flood Evacuation Route, or

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

- public funding of the marginal cost difference between the flood evacuation route design standard and a local road design standard or
- if such options are not available, consideration may be given to undertaking detailed feasibility assessment of private delivery of this section of the Pitt Town Flood Evacuation Route through lot sizes marginally smaller than the existing standard, but more consistent with the surrounding lots sizes than the current proposal.

BACKGROUND

In 1998 Council adopted an Urban Land Strategy which identified five areas for future urban development. These areas included Pitt Town, Vineyard, North Bligh Park, Wilberforce and North Richmond.

In 2000 Council resolved to prepare a draft Local Environmental Plan to rezone land at Pitt Town for residential purposes. A Local Environmental Study was subsequently prepared by Connell Wagner which identified three growth scenarios, low (495 lots), medium (730 lots) and high (1,405 lots).

In 2003 Council adopted the Local Environmental Study and resolved to prepare a draft Hawkesbury Local Environmental Plan based on a revised medium growth scenario of approximately 690 lots. Subsequently Hawkesbury Local Environmental Plan 1989 (Amendment 145) was gazetted on 18 August 2006.

In January 2007, the State Emergency Service provided advice that no more than 1,100 additional lots could be safely evacuated from Pitt Town. However, this would reduce the State Emergency Service safety factor to zero.

On 31 July 2007, Council resolved to prepare a draft Local Environmental Plan to rezone additional land at Pitt Town. The proposed additional development on the land owned or controlled by Johnson Property Group was determined to be a Major Project under Part 3A of the Environmental Planning and Assessment Act 1979 on 12 October 2007.

On 10 July 2008, the Minister for Planning approved the Concept Plan which provided for an additional 893 lots, given the 1,100 additional lot yield capacity indicated by the State Emergency Services further expanded the lot yield opportunity for Pitt Town.

On 18 July 2008, an amendment to State Environmental Planning Policy (Major Projects) (Pitt Town) 2008 was gazetted. This had the effect of replacing the controls relating to Pitt Town with the Hawkesbury Local Environmental Plan 1989 to be consistent with the Concept Approval, issued on 10 July 2008.

On 19 February 2009, the Hawkesbury Development Control Plan 2002 (DCP) was subsequently amended by way of an updated chapter for Pitt Town, Part E Chapter 4, to implement the provisions of the Part 3A Concept Plan approval. The DCP chapter divided the Pitt Town Development Area into precincts, and the subject site is located within Precinct E – Cattai precinct.

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

A planning proposal for the subject site was previously considered by Council, the timeline for which is outlined below:

Date	Matter
26 November 2013	<p>Council considered a report for a planning proposal (LEP005/13) for the subject site (Lots 1-4 DP 1057585 and Lots 2 & 3 DP 808945, Part Lot 1 DP 808945 and Part Lot 2 DP 555257 – Mitchell Road, Pitt Town).</p> <p>Council resolved that <i>“Council does not support the planning proposal in its current form (and) “Should the applicant wish to pursue the proposal they be requested to provide additional strategic and economic justification for further consideration by Council”.</i></p>
25 November 2014	<p>Council considered a further report with a recommendation to support the preparation of a revised planning proposal to enable subdivision of the subject site with Minimum Lot Size of 1,500m² and resolved to defer the matter to allow a further meeting between the applicant and Council staff.</p>
December 2014	<p>A meeting was held between the applicant and Council staff to discuss the strategic merit of the proposal, and flood evacuation capacity within Pitt Town.</p>
10 March 2015	<p>A revised planning proposal report with a Minimum Lot Size of 1,500m² was considered by Council where it resolved in part to:</p> <ul style="list-style-type: none"> • <i>“Support the preparation of a revised planning proposal</i> • <i>Council prepares an amendment to Chapter 4 Pitt Town, Part E of the Hawkesbury Development Control Plan 2002 for the relocation of the proposed flood evacuation route and any other minor changes as required.</i> • <i>The applicant’s revised planning proposal be forwarded to the Department of Planning and Environment for a Gateway determination.”</i>
31 March 2016	<p>Department of Planning issues Gateway Determination dated 31 March 2016 which did not support the planning proposal, however, encouraged the resubmission of the planning proposal with consideration of the recommendations of the Hawkesbury-Nepean Flood Management Taskforce, which was released in 2015.</p> <p>The Gateway Determination also stated that the revised planning proposal should include:</p> <ul style="list-style-type: none"> • an evacuation capacity assessment considering regional and cumulative impacts and be prepared in consultation with the State Emergency Service and Hawkesbury-Nepean Valley Flood Management Taskforce. • Consideration also needs to be given to the possibility of raising the roads access, and the Office of Environment and Heritage- Flood Risk Management Division needs to be consulted regarding the impacts of the fill on the site in relation to flood behaviour. • A preliminary investigation report for contamination in accordance with Managing Land Contamination – Planning Guidelines SEPP 55 Remediation of Land. • Establish the need for the planning proposal.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

The Subject Site

The planning proposal applies to 30A, 30B, 30C and 34 Mitchell Road, Pitt Town being Lots 1-4 in DP 1057585. The subject site is located on the northern side of Mitchell Road and is 7.98 hectares in size. The land comprises of 4 allotments as follows:

Lot No:	Deposited Plan	Area	Use
1	10575858	2.0 ha	Dwelling
2	10575858	2.0 ha	Vacant
3	10575858	2.0 ha	Vacant
4	10575858	1.98 ha	Vacant

The subject site is generally flat and is mostly vacant. The subject site is above 20m AHD, and there is an existing dwelling on Lot 1, and some garden plantings associated with the dwelling. The rest of the subject site is vacant. Figure 1 below illustrates the subject site.

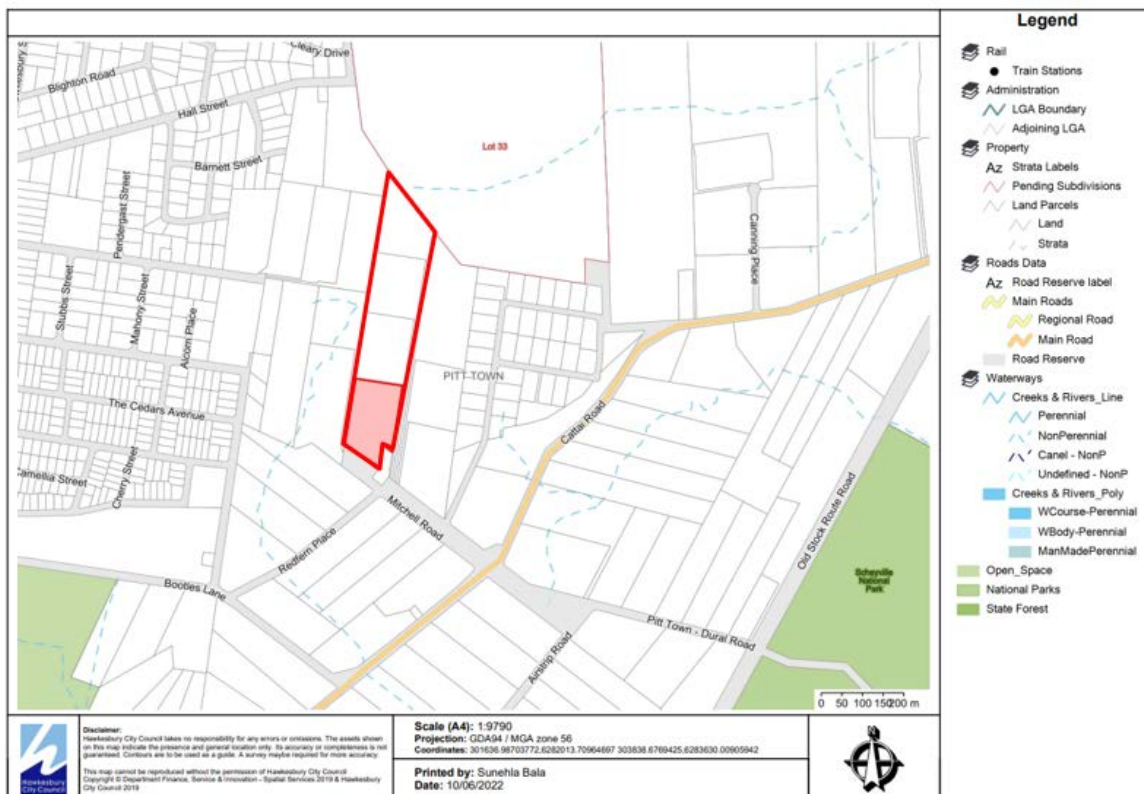


Figure 1: Subject Site

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

Planning Controls

Table 1 below outlines the current planning controls for the subject site.

Zone	The subject site is zoned R5 Large Lot Residential.
Minimum Lot Size	The Minimum Lot Size provision for the subject site is 2,500m ²
Height of Buildings	The Height of Buildings provision is 10m.
Acid Sulfate Soil	The subject site is affected by Class 5 Acid Sulphate Soil.
Flood	The subject site is not affected by the 1 in 100 ARI flood.
Biodiversity	The subject site is affected by biodiversity – endangered ecological communities and connectivity between remnant vegetation, as shown in Figure 2 below.
Sewer Scheme	The subject site is not connected to sewer. However it is identified as the Pitt Town Water Future Development through the GIS mapping.
Sydney Water	The subject site is serviced by Sydney Water connection.
Heritage	The subject site does not contain any heritage listed item and there is no adjoining heritage listed item.
Bushfire Prone Land	The subject site contains bushfire vegetation buffer, as shown in Figure 3 below.

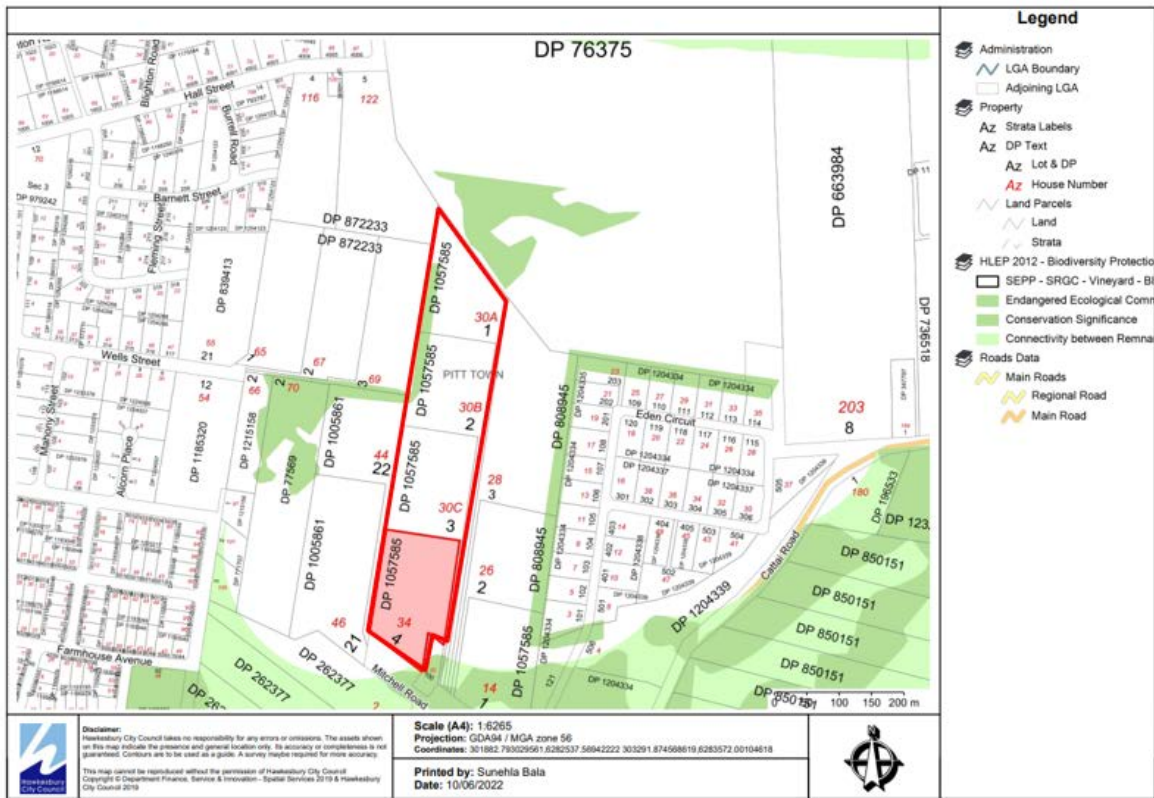


Figure 2: Biodiversity

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

Council's mapping system indicates that the subject site contains endangered ecological community within Lots 1 and 2. Lot 4 contains connectivity between remnant vegetation at the southern corner of the lot. However, over the passage of time since that mapping there may have been changes to the biodiversity on the subject site. If required, a current Biodiversity Report could be requested from the applicant should the planning proposal progress.

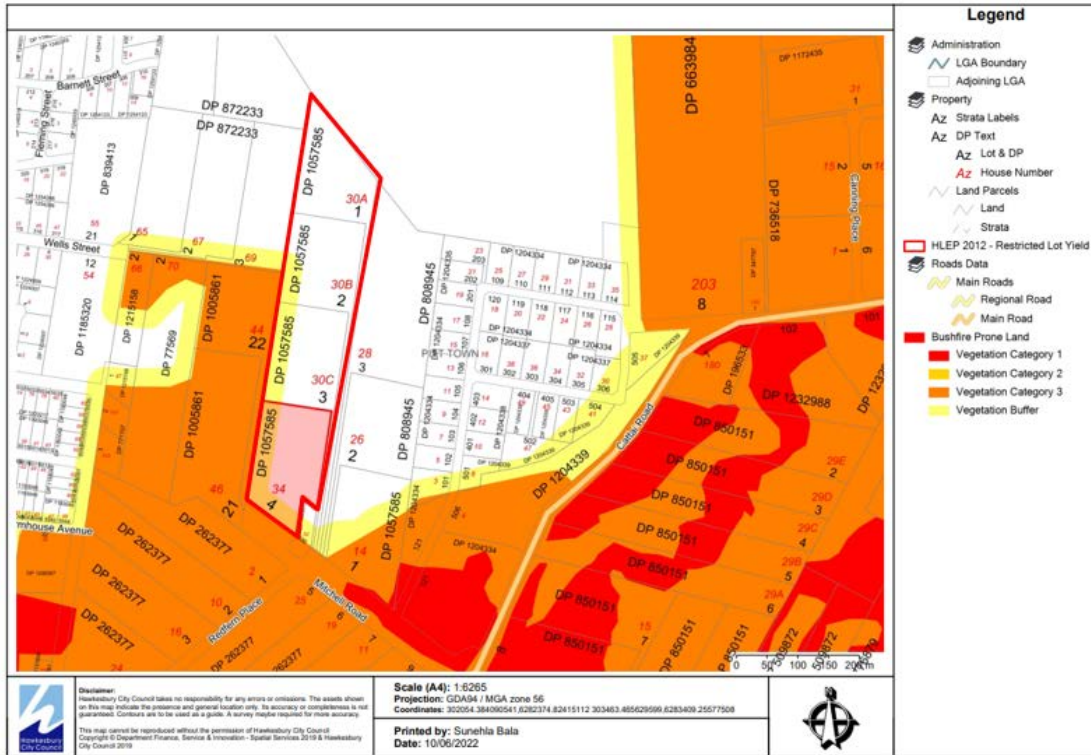


Figure 3: Bushfire Prone Land

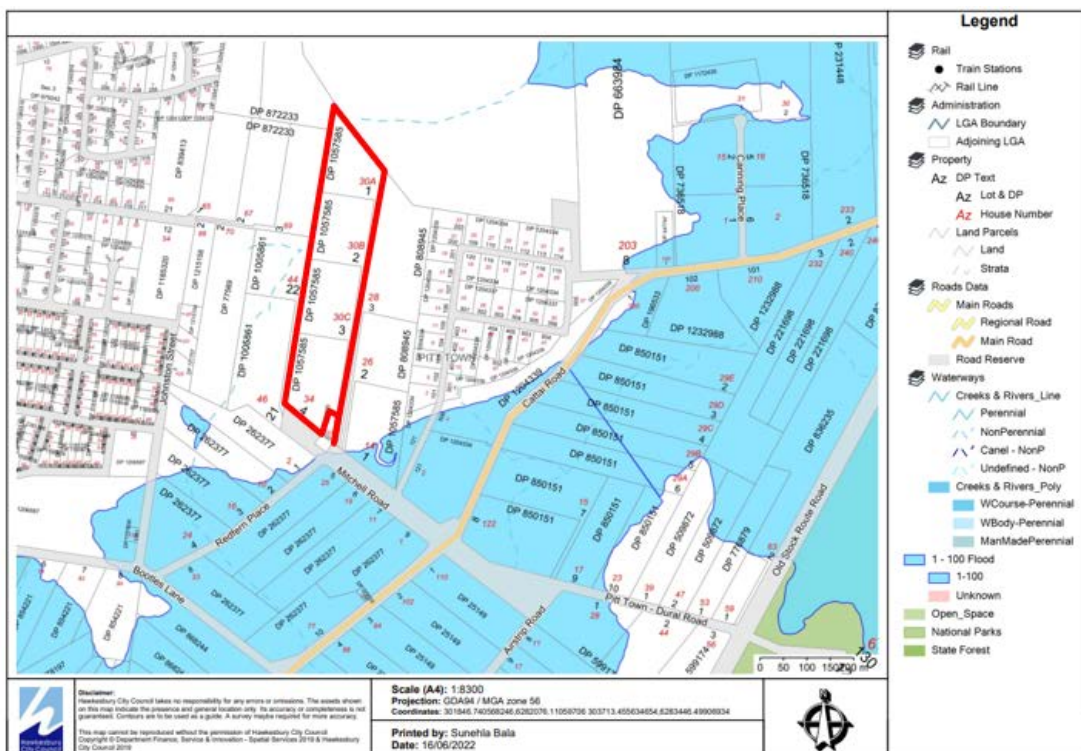


Figure 4: Flood Map

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

The subject site is not affected by the 1 in 100 ARI flood.

Response to Gateway Determination comments dated 31 March 2016

An evacuation capacity assessment considering regional and cumulative impacts and be prepared in consultation with the State Emergency Service and Hawkesbury-Nepean Valley Flood Management Taskforce.

The applicant engaged Molino Stewart Environment and Natural Hazards to provide the flood evacuation capacity to support the planning proposal. The report states that the NSW SES flood response strategy for the Hawkesbury Nepean Valley is set out in the Hawkesbury Nepean Flood Emergency Sub Plan (now NSW SES, 2020). It involves evacuating all residential, business and other premises that are at risk of flooding and directing evacuees to Sydney Olympic Park. Those who could not be assisted to the Sydney Olympic Park are expected to find their own temporary accommodation with friends and relatives, or at commercial accommodation outside of the floodplain.

To achieve orderly and timely evacuation, the NSW SES has divided the floodplain into sectors and subsectors with designated evacuation routes. The proposed development is part of the Pitt Town Sector which has its evacuation route out of the floodplain via Old Pitt Town Road.

Currently the lowest point along this route lies at 16m AHD. The NSW SES therefore plans to evacuate the whole of the Pitt Town Sector before this level is reached because the sector becomes a flood island, and in the most extreme floods there would only be a very small area in Pitt Town which would be above 26.3m AHD and therefore above the Probable Maximum Flood.

The Bureau of Meteorology is currently advising the NSW SES that in extreme floods it can give at least 9 hours warning of forecast flood levels with a reasonable degree of accuracy based on fallen rainfall measurements and stream gauge readings. It can make river level forecasts using forecast rainfall, but this is not sufficiently accurate for the NSW SES to be willing to rely upon it to order a mass evacuation.

According to the flood evacuation modelling technique applied by the NSW SES, it is assumed that the maximum rate at which vehicles can travel along the evacuation routes in flood generating weather conditions is 600 vehicles per hour per lane of traffic. Other assumptions include:

- NSW SES personnel will be mobilised based on forecast rainfall and will be ready to issue an evacuation order as soon as a forecast of a flood at 16m AHD or higher is issued by the Bureau based on fallen rain.
- Evacuation messages will be broadcast but backed up by door knocking to ensure that all evacuees receive the message and that there will be sufficient human resources to complete the door knocking in the required time.
- There will be an average delay of one hour while message recipients decide whether the order applies to them and a further one-hour delay as they get ready to evacuate.
- There may be delays along the evacuation route due to accidents, breakdowns or water, trees or power lines across the road and the duration of these delays will increase with the amount of traffic evacuating.

The Gateway Determination for LEP005/13 also had the following conditions that do not seem to have been addressed sufficiently:

- *Consideration also needs to be given to the possibility of raising the roads access, and the Office of Environment and Heritage- Flood Risk Management Division needs to be consulted regarding the impacts of the fill on the site in relation to flood behaviour.*
- *A preliminary investigation report for contamination in accordance with Managing Land Contamination – Planning Guidelines SEPP 55 Remediation of Land.*

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

- *Establish the need for the planning proposal.*

Infrastructure and Services

The proposed additional residential lots will utilise the current infrastructure, public transport and services. No additional infrastructure is required to support the development except for the flood evacuation route, that will form part of the development. The Pitt Town local shops and other retail and commercial outlets at McGraths Hill have the capacity to provide the day-to-day services to additional residents. The Mulgrave train station is also in relatively close proximity to the subject site.

Heritage Significance

The subject site does not include any heritage significant items and is not within the Pitt Town Conservation Area. The Pitt Town Heritage Map of Hawkesbury LEP 2012 identifies the Pitt Town Village including the subject site as potential archaeological sites and places of Aboriginal significance. Appropriate development conditions ensuring no adverse impacts on potential archaeological sites could be imposed on future development approvals for land within Pitt Town Heritage Map area.

Surrounding Developments

Surrounding development is typically R5 Large Lot Residential development and RU4 Primary Production Small Lots. Parcels immediately adjacent to the subject site are similar larger lots some of which have the potential for further subdivision. Land adjoining to the north is cleared pasture, with evidence of previous agricultural use. This land is zoned R5 Large Lot Residential with a minimum subdivision lot size of between 2,000m² to 2,500m², but is yet to be developed. The land immediately adjoining to the east is zoned R5 Large Lot Residential with a minimum lot size of 2,500m², and is yet to be developed.

The land to the south-east of the site, on the corner of Mitchell Road and Cattai Road, is zoned R5 Large Lot Residential and has been developed into residential lots of 2,500m². The land immediately adjoining to the west is zoned RU4 Primary Production Small Lots and has a minimum lot size of 2ha. This RU4 land is utilised for stormwater drainage infrastructure and rural residential uses as shown in Figure 5.

The land further west of the subject site has been developed with various Minimum Lot Sizes ranging from (south to north) 650m², 750m², 2,000m². For the land between Wells Street and Hall Street, there is a lot averaging provision permitting 1,500m² with a lot density not greater than 5 lots per hectare. It should be noted that most of the area between Wells and Hall Streets is a greater distance from the Pitt Town village centre than the subject site. Land on the southern side of Mitchell Road was not included in the Pitt Town Development area and is used for rural residential purposes, and is zoned RU4 Primary Production Small Lots.

The RU4 Primary Production Small Lots are mainly used for residential purposes or are vacant. Figures 5, 6 and 7 illustrate the surrounding development.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

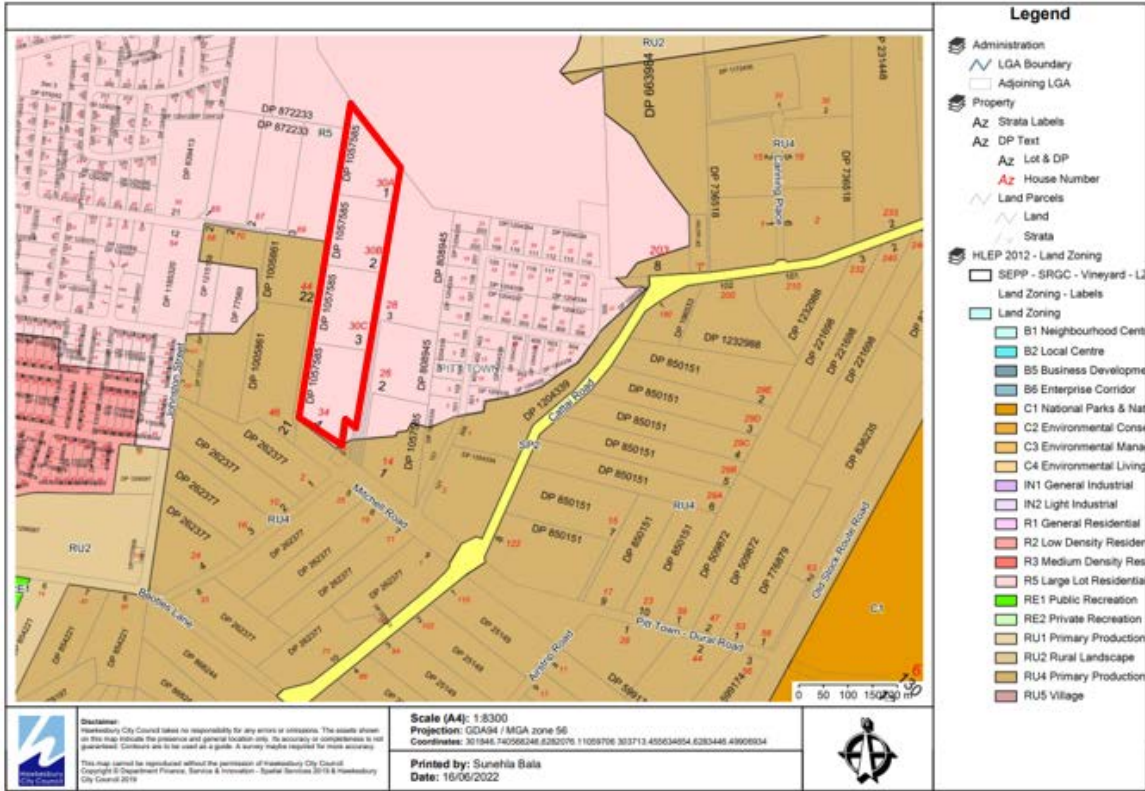


Figure 5: Surrounding Development – Zoning Map

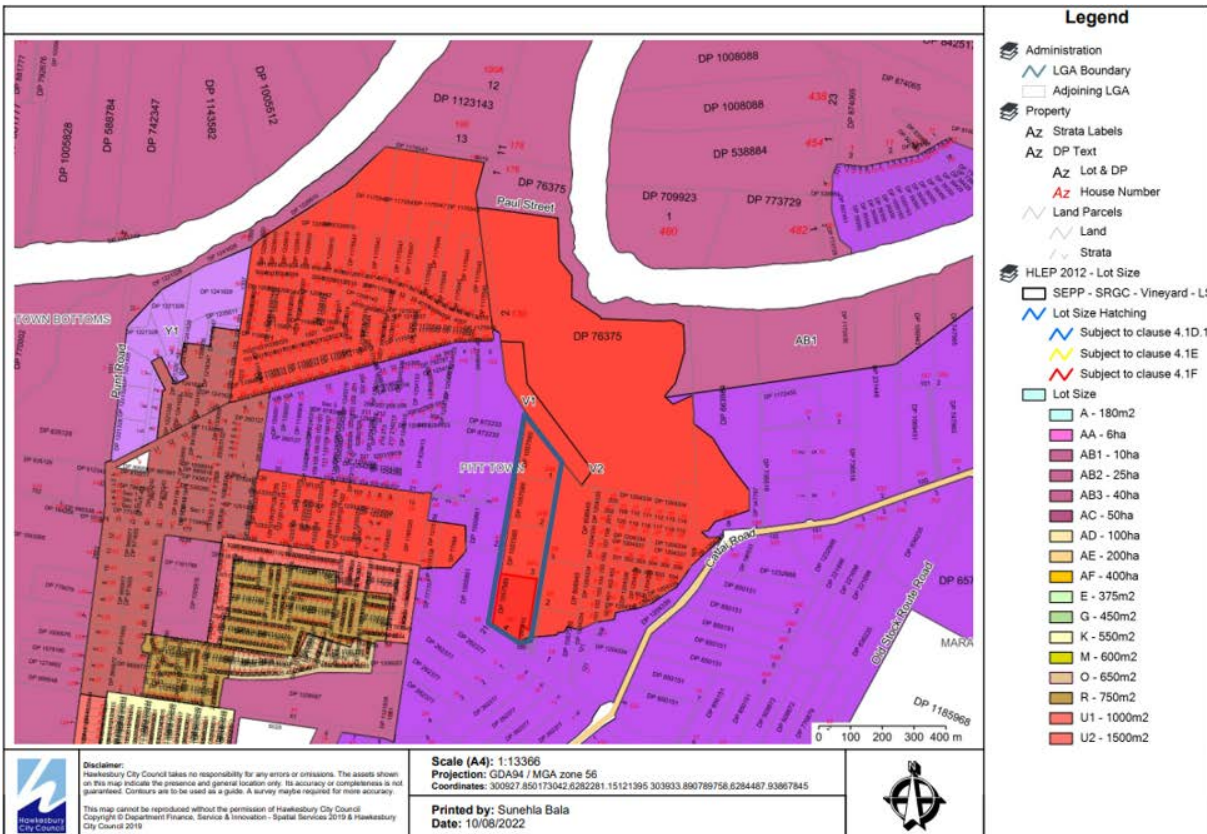


Figure 6: Surrounding Development – Minimum Lot Size Map

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

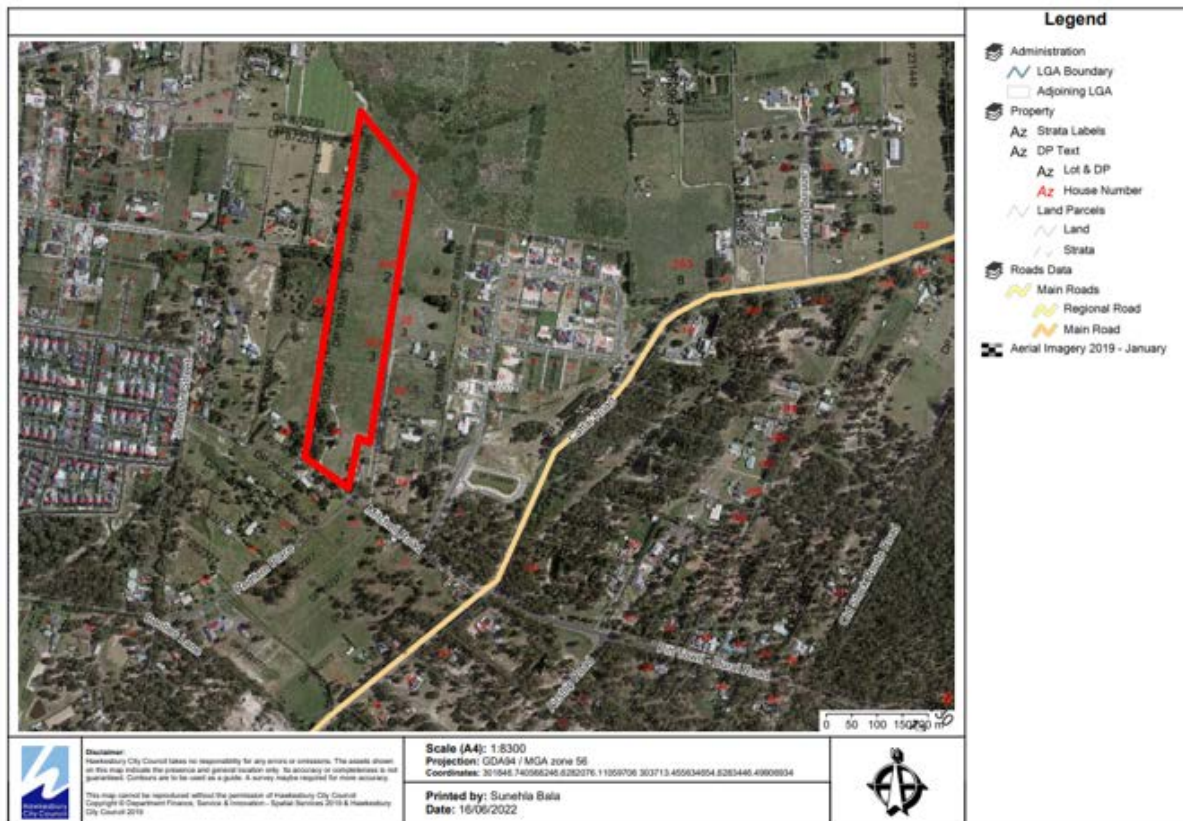


Figure 7: Subject Site and Surrounding Development – Aerial Map

DISCUSSION

Below is the discussion in relation to the planning proposal.

Planning Proposal:

The applicant is seeking an amendment to the Hawkesbury LEP 2012 to enable the subdivision of the subject site into 64 lots with a Minimum Lot Size of 1,000m². Under the present planning controls, the subject site can yield approximately 26 lots. Under the proposed planning controls, the subject site will be able to yield 64 lots, i.e an additional 38 lots.

The owner of the subject site has indicated that they would facilitate construction of a section of the identified Pitt Town Evacuation Route which runs along the north, and eastern boundaries, through the subject site at their own expense under a Voluntary Planning Agreement. The identified Flood Evacuation Route is show in Figure 8 below, noting that there will be a missing link that is through other property:

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

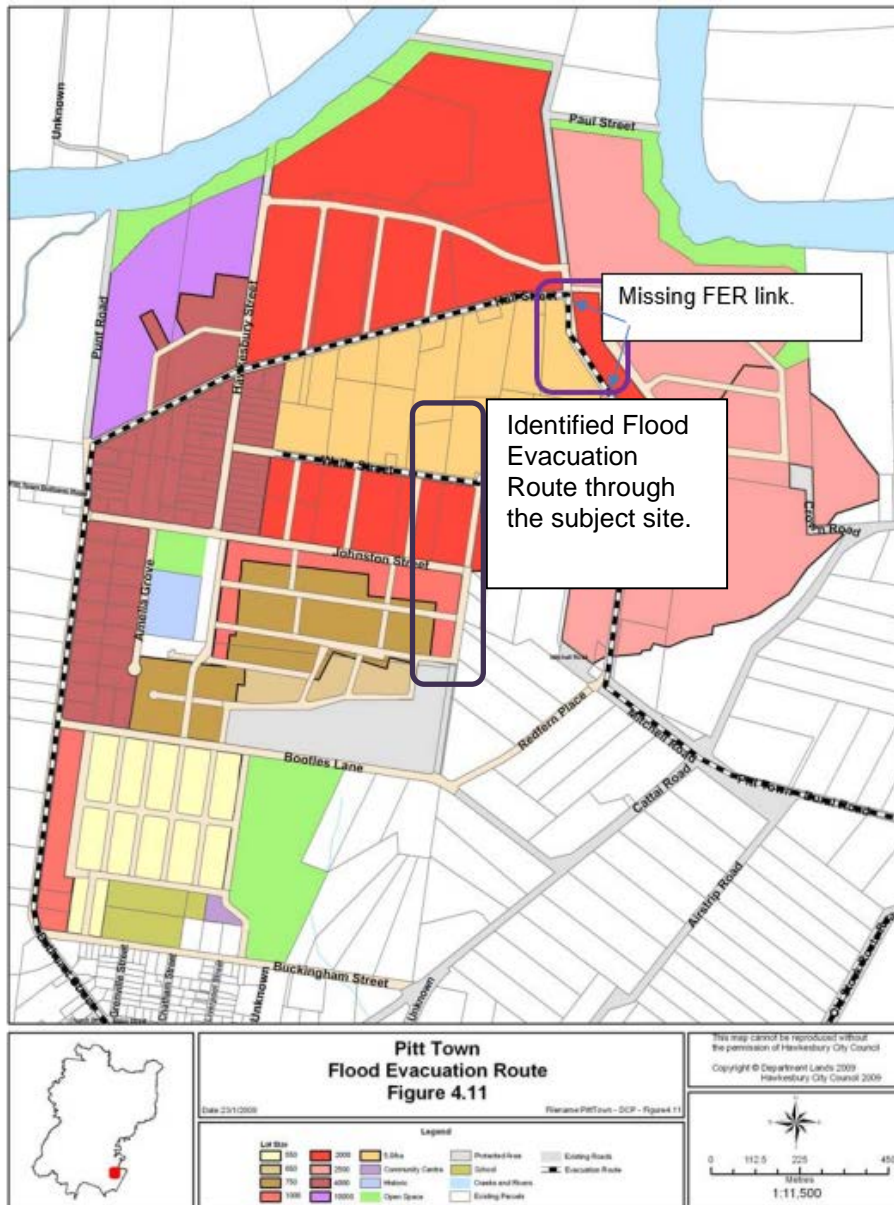


Figure 8 – Identified Flood Evacuation Route – Pitt Town

Applicant’s justification of the Planning Proposal:

The applicant has provided the following justification for the planning proposal, a copy of which is attached as Attachment 1 to the report:

1. The planning proposal will provide significant public infrastructure in the form of a 1,147m section of the Pitt Town Flood Evacuation Route at no cost to the community.
2. Construction of the Pitt Town Flood Evacuation Route and designated bus transport road is dependent upon this planning proposal proceeding.
3. The risk to residents of Pitt Town in times of flooding will be significantly reduced.
4. The Flood Evacuation Route will assist the State Emergency Service and reduce the risk to life during flood evacuation.

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

5. The proposal will facilitate additional housing opportunities in an area of high amenity with access to services.
6. The proposal will provide a variety of cheaper housing choices, consistent with government and Council policy.
7. The land is already zoned R5 Large Lot Residential, therefore there will be no change in character.
8. The proposal will make use of existing infrastructure; therefore, no additional infrastructure is required.
9. There are no adverse environmental or visual impacts arising from this planning proposal.
10. The proposal is consistent with all relevant State, Regional and Local Strategies.

Furthermore, the applicant suggests the following are the community benefits as a result of the planning proposal:

- A significant section of the Pitt Town Evacuation Route (estimated 1.147km in length) will be constructed at no cost to the community.
- Reduce the risk to existing and future residents in dangerous times of flooding by providing a safe evacuation route.
- Reducing the risks to human life during the time of flooding.
- Allowing the State Emergency Service to evacuate residents safely by road.
- The subdivision works would include the construction and dedication of the section of the Pitt Town Flood Evacuation Route which runs through the subject site.
- Utilising existing services and infrastructure to full capacity.
- To provide the designated bus service road.

Proposed Min Lot Size Provisions Vs Flood Evacuation Rationale:

In 2007, the NSW SES advised that a maximum of 1,100 additional lots could be added to the existing residential capacity in Pitt Town. However, these additional lots would reduce the existing Flood Evacuation Factor of Safety to zero under the State Emergency Service systems. It further advised that any reduction in evacuation factor of safety is a decision for Council and the community, not the SES.

As part of assessment of the planning proposal, there are two scenarios that have been considered in order to assist consideration of the justification of this planning proposal:

Scenario 1: *Providing the subject site the Minimum Lot Size provision will create precedent for other large lot owners to put in similar planning proposals – hence exceeding the lot capacity of the Pitt Town Precinct.*

Under the current LEP and DCP provisions, the subject site can be subdivided into lots of a minimum of 2,500m². However, this planning proposal seeks to increase the lot yield by approximately 150% with a proposed 1,000m² minimum lot size for the site. If the Minimum Lot Size provision is given to the subject site, it is likely that this provision will create a precedent and other surrounding larger lot owners could submit planning proposals to subdivide their land with 1,000m² lot size provisions.

Council staff have modelled two scenarios, first, the feasibility of 1,000m² lot size and secondly the feasibility of 1,500m² lot size provisions.

The following assumptions were used:

- The current lot numbers within Bona Vista, Fernadell, Blighton and Cleary precincts will remain unchanged.
- 80% of the landowners within the remaining precincts (Thornton, Central, Cattai and Thornton East) are likely to also seek to subdivide their land into 1000m² lots.
- Roads are assumed to occupy 20% of land area

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

With the minimum lot size provision of 1,000m², a total of 617 lots could be yielded through subdivision within Thornton, Central, Cattai and Thornton East sub-sectors of Pitt Town.

With the minimum lot size provision of 1,500m², a total of 401 lots can be yielded through subdivision within Thornton, Central, Cattai and Thornton East sub-sectors of Pitt Town. See Table 1 below.

Table 1: 1000m² and 1500m² Lots Forecast

Precinct	Net Land Area Available for Subdivision (ha)	Possible net additional lots (1,000m ²)	Possible net additional lots (1,500m ²)
Thornton	12.71	127	85
Central	27.65	276	184
Cattai	14.27	192	117
Thornton East	2.24	22	15
Total	56.87	617	401

The current net additional lots within the Pitt Town residential precinct are 647 under Part 3A approval (see Table 2 below). Given the State Emergency Service maximum flood evacuation capacity of 1,100 additional lots, the Pitt Town residential precinct can accommodate an additional 453 (1,100 – 647) lots within the precinct without exceeding the evacuation capacity for Pitt Town. However, the forecasted 617 lots with a minimum lot size of 1,000m² exceeds this capacity by 164 lots. This is considered excessive, and therefore the planning proposal seeking subdivision of the site into 1,000m² is not feasible in terms of flood evacuation in Pitt Town.

The forecasted 401 lots with a minimum lot size of 1,500m² within the Pitt Town residential precinct as shown in Table 1 above is within the Pitt Town's maximum flood evacuation capacity of 453 lots. Therefore, a planning proposal seeking subdivision of the subject site into lots of 1,500m² would have a significantly lower impact on the evacuation capacity than the current proposal. This scenario was modelled and presented to Council in November 2015 with the previous planning proposal relevant to the same site.

Table 2: Current Net Additional Lots within Pitt Town Residential Precinct

Precinct	Existing Lots	Proposed Lots	Net Additional Lots
Bona Vista	2	246	244
Fernadell	1	210	209
Blighton	2	19	17
Cleary	6	112	106
Thornton	1	72	71
Total under Part 3A	12	659	647

Molino Stewart Flood Evacuation and Lot Capacity Modelling:

The Molino Stewart flood evacuation advice dated 29 January 2019 (Attachments 3 and 4), provided with the planning proposal assessed the flood evacuation capacity at 1,500m² minimum Lot Size provision. The assumption used in this modelling is that the maximum rate at which vehicles can travel along evacuation routes in flood generating weather conditions is 600 vehicles per hour per lane of traffic. There may also be delays along the evacuation route due to accidents, breakdowns or water, trees or power lines across the road, and the duration of these delays will increase with the amount of traffic evacuating.

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

Molino Stewart further provided analysis of evacuation within the Pitt Town area as follows:

- The whole of Pitt Town Bottoms would have to be evacuated before 6.3m AHD was reached.
- The whole of Pitt Town North would have to be evacuated before 7.3m AHD was reached.
- The whole of Pitt Town South would have to be evacuated before 11.9m was reached.
- Some of Pitt Town Southeast would have to be evacuated before 15m AHD was reached.
- The whole of Pitt Town Central would have to be evacuated before 15.9m AHD was reached.

Based on the above, the areas more vulnerable to early flooding will be evacuated earlier as the evacuation orders would be made by the State Emergency Service based on Bureau of Meteorology forecasts, 9 hours before the flood levels are reached. The evacuation routes will be used at different times by different subsectors of Pitt Town based on their flood levels and evacuation orders. Given the above, not all assumed 3,068 vehicles within the Pitt Town area will be evacuating at the same time. With this rationale, Molino Stewart had recommended safe evacuation of the additional lots with a minimum Lot Size of 1,500m².

However, to support the Min Lot Size of 1,000m², no such modelling has been provided.

Scenario 2: *The need for the evacuation route is deemed high and the Minimum Lot Size provision of 1000m² is provided to the subject site as an incentive to construct the flood evacuation route.*

Given that the planning proposal has no robust justification for the additional lot yield, the consideration of the planning proposal entirely depends on the urgency and necessity to deliver this section of the identified flood evacuation route through the subject site. Should Council consider the need to deliver this section of the flood evacuation route is high, it may accept the offer of construction of the evacuation route through the subject site in return for providing for a minimum lot size of 1,000m².

It should also be considered, that, should the subject site be subdivided (under the current Minimum Lot Size provision of 2,500m²), there will still be a need for road to provide access to new lots. In this case, Council does not have the powers to impose upon the owner to develop the subject site within Councils expected timeframe to achieve that road, which would become an evacuation route in a flood event.

In the case Council sees this section of the flood evacuation route to be high priority infrastructure which is urgently needed, then Council could enter into an agreement with the owner to consider the Minimum Lot Size of 1,000m² for the subject site only, based on the owner delivering the flood evacuation route through a Voluntary Planning Agreement within a set timeframe.

To further control any future planning proposals that would seek to amend the Hawkesbury LEP 2012 to allow reduced Minimum Lot Size provisions for other larger lots, should this planning proposal proceed it is considered that a Local Clause must be inserted in the Hawkesbury LEP 2012 to articulate that the subject site was only considered for a 1,000m² Minimum Lot Size in order to deliver the identified flood evacuation route.

It should also be noted that despite the flood evacuation route being delivered by the owners of the subject site, there will remain a missing link of the road between Hall Street and the new flood evacuation route. This portion of the proposed flood evacuation route passes through Lot 5 DP 872233 and Lot 2 DP 76375 (Thornton). However, the delivery of the flood evacuation route by the owners of the subject site will still unlock the evacuation capacity by making it easier to connect to Mitchell Road and out through Cattai Road.

The owner of the subject site has indicated that the construction of the flood evacuation route will be facilitated through a Voluntary Planning Agreement.

Consistency with the State and Regional studies and strategies

The planning proposal is not inconsistent with the State and Regional studies and strategies. However, the Hawkesbury is classed as Metropolitan Rural Area, and the objective of Metropolitan Rural Area is that urban development is not consistent with the values of the Metropolitan Rural Area. It also reinforces that

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

Greater Sydney has sufficient land to deliver its housing needs within the central boundary of urban area, including existing growth areas and urban investigation areas.

The Hawkesbury Local Housing Strategy highlights that the Hawkesbury lacks housing diversity, including mostly smaller dwellings to meet the changing needs of the community, specifically for empty nesters and young adults who want to leave home and live on their own. The local government area also lacks student housing and social and affordable rental housing. The proposed development is very likely to develop single family sized dwellings. This development does not meet the housing diversity gap that exists in the local government area. The current greenfield development at Redbank, Glossodia and the Vineyard land release has created enough capacity to meet the housing need of the local government area for the next five to ten years.

Advice from the Hawkesbury Local Planning Panel

The planning proposal was reported to the Hawkesbury Local Planning Panel at its meeting on 18 August 2022 where the Panel resolved to provide the following advice:

"The Panel considers that the delivery of the Pitt Town Flood Evacuation Route, in its totality, is in the public interest, benefitting the whole Pitt Town community. However, how the Pitt Town Flood Evacuation Route should be implemented and funded is the key question.

This Planning Proposal proposes a method of delivering a significant part of the Pitt Town Flood Evacuation Route through private funding, made possible by increasing the development yield on the subject site.

However, whilst this may be a public benefit, the Panel considers that this must be balanced against the fact that there is little other planning merit and justification associated with increasing the lot yield on the subject site.

The Panel has concerns about increasing the development potential of the site, which whilst being above the flood planning level, would still increase the number of people within Pitt Town potentially requiring evacuation.

The Panel considers that there is limited strategic merit in terms of meeting Council's housing targets, that may be achieved through development of other areas already identified in Council's strategic plans.

The proposed lot size is incongruous with surrounding lot sizes.

The proposal does not deliver the full extent of the Pitt Town Flood Evacuation Route.

Notwithstanding this, the Panel considers that the option of full or partial private funding of the Pitt Town Flood Evacuation Route is worthy of consideration. However, the Panel has no feasibility analysis to confirm that the proposed lot size of 1,000m² is necessary to viably provide the Pitt Town Flood Evacuation Route through the subject site, and considers that this should be subject to further assessment.

The Panel notes that any subdivision of the subject site, including under the current lot size standard, would require the provision of a public road. It is unclear therefore why that road could not form part of the Pitt Town Flood Evacuation Route without any significant cost imposition on the subdivision. It was indicated to the Panel that the Flood Evacuation Route would need to be designed and constructed to a higher specification than a standard local road. As such, any feasibility analysis should consider the marginal cost of the Pitt Town Flood Evacuation Route through the subject site, over and above a standard road. Opportunities for public authorities to fund this marginal cost could then be considered. This would reduce the impost on the private subdivision to a cost no more than the development costs that would otherwise be involved in delivering the subdivision. This should reduce the need to increase the number of lots on the site in order to deliver the Pitt Town Flood Evacuation Route.

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

Hawkesbury Local Planning Panel Recommendation:

The Panel recommends that the Planning Proposal should not proceed because:

It has not adequately demonstrated that the only feasible means of delivering part of the Pitt Town Flood Evacuation Route is by reducing the minimum lot size of the subject site to 1,000m².

Since the Panel is not satisfied that such a significant reduction in lot sizes has strategic or site specific merit or is in the public interest, it would be more appropriate for other options for the delivery of the Pitt Town Flood Evacuation Route to be explored, including:

- *public funding opportunities, for example, existing contributions, grant funding and the like, to deliver the full extent of the Pitt Town Flood Evacuation Route, or*
- *public funding of the marginal cost difference between the flood evacuation route design standard and a local road design standard or*
- *if such options are not available, consideration may be given to undertaking detailed feasibility assessment of private delivery of this section of the Pitt Town Flood Evacuation Route through lot sizes marginally smaller than the existing standard, but more consistent with the surrounding lots sizes than the current proposal."*

Legislative Council Response to major flooding across NSW in 2022 (Report no.1)

It should be noted that the Select Committee on the response to Major Flooding Across New South Wales in 2022 has provided its report to the NSW Government and was released on 9 August 2022.

The report had 37 recommendations to improve the management of flood related disasters in NSW, and of particular note, the report included recommendations on the following:

Recommendation 12: That the NSW Government allocate funding to the improvement of the Pitt Town Evacuation Route and other key possible evacuation routes in Sydney's northwest.

Recommendation 13: That the NSW Government work with local governments to identify alternative routes to vulnerable roads, and that the NSW and Australian Governments fund the construction of these important routes to improve evacuation and access options in times of disaster.

The report is currently being considered by the NSW Government as to what actions may occur in response to the recommendations.

Additionally, it should be noted that the report of the NSW Government Independent Flood Inquiry has also been released which provided a number of recommendations in a broad sense relating to floodplain management.

CONCLUSION

The planning proposal seeks to amend the Hawkesbury LEP 2012 to reduce the Minimum Lot Size provision for the subject site from 2,500m² to 1,000m² which would enable additional development yield on the subject site (increase of 38 lots). Previously, Council had considered a planning proposal from the same subject site for similar provisions. The planning proposal was amended to 1,500m² lots but, was subsequently rejected by the Department of Planning and Environment at the Gateway stage. The current planning proposal relies heavily on the delivery of part of the identified flood evacuation route through the subject site.

Two development scenarios have been discussed as part of the assessment of the current planning proposal.

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

Having considered the matter, it is recommended that Council should be consistent with the advice of the Hawkesbury Local Planning Panel which is that the planning proposal should not proceed because it has not adequately demonstrated that the only feasible means of delivering part of the Pitt Town Flood Evacuation Route is by reducing the minimum lot size of the subject site to 1,000m².

Further, that such a significant reduction in lot sizes does not have strategic or site specific merit or is in the public interest, and it would be more appropriate for other options for the delivery of the Pitt Town Flood Evacuation Route to be explored, including:

- public funding opportunities, for example, existing contributions, grant funding and the like, to deliver the full extent of the Pitt Town Flood Evacuation Route, or
- public funding of the marginal cost difference between the flood evacuation route design standard and a local road design standard or
- if such options are not available, consideration may be given to undertaking detailed feasibility assessment of private delivery of this section of the Pitt Town Flood Evacuation Route through lot sizes marginally smaller than the existing standard, but more consistent with the surrounding lots sizes than the current proposal.

Planning Decision

As this matter is covered by the definition of a "planning decision" under Section 375A of the Local Government Act 1993, details of those Councillors supporting or opposing a decision on the matter must be recorded in a register. For this purpose a division must be called when a motion in relation to the matter is put to the meeting. This will enable the names of those Councillors voting for or against the motion to be recorded in the minutes of the meeting and subsequently included in the required register.

ATTACHMENTS:

- AT - 1** Mitchell Road Pitt Town Planning Proposal - *(Distributed under separate cover)*.
- AT - 2** HCC Dwelling Audit.
- AT - 3** Molino Stewart Pitt Town Flood Evacuation Advice - *(Distributed under separate cover)*.
- AT - 4** Molino Stewart Pitt Town Flood Evacuation Capacity.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

AT - 2 HCC Dwelling Audit

AUDIT OF EXISTING AND POTENTIAL DWELLINGS
PITT TOWN STUDY AREA

Prepared by HAWKESBURY City Council February 2022

Pitt Town - SES Subsectors	Number of Additional Lots Created since 2003 (capable of Accommodating Dwellings)	Notes	Number of Potential Lots (Approvals & existing planning provisions)
Pitt Town North	0	A number of lots in the Cleary Precinct extend into this subsector but the area for dwellings is contained within the Pitt Town Central Subsector and included within that Subsector	0
Pitt Town Bottoms	1	Some lots have been created for agricultural purposes with conditions on the Title that they are not to be used for dwellings and as such have not been included in the calculation of additional lots. Since 2003, a number of other lots have been resurveyed (deed survey) from the original land grant and as such do not create additional lots. Most recent subdivision on a wider scale within the subsector occurred in the 1980's and 1990's	0
Pitt Town Central	724	Forms the bulk of recent and continuing subdivision within the Pitt Town Subsector with some precincts still active in terms of delivering additional lots	231 Includes Thornton, Thornton East, Blighton, Central and Ghantous land
Pitt Town South East	2	Some recent subdivision for road widening purposes which did not create additional lots. Most recent subdivision on a wider scale within the subsector occurred in the 1960's 1970's and 1980's	0

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

Pitt Town - SES Subsectors	Number of Additional Lots Created since 2003 (capable of Accommodating Dwellings)	Notes	Number of Potential Lots (Approvals & existing planning provisions)
Pitt Town East	NA	Subsector has rising road access to an evacuation route so not applicable to cap provided by SES	0
Pitt Town South	NA	Subsector has rising road access to an evacuation route so not applicable to cap provided by SES	0
Pitt Town South B	NA	Subsector has rising road access to an evacuation route so not applicable to cap provided by SES	0
Total	727	Provides for spare capacity of 273 additional lots based on 1,000 lot cap or, 373 additional lots if upgrades to evacuation routes are undertaken to reduce the risk	231 (Provides for spare capacity of 42 additional lots above approvals & existing planning provisions) based on 1,000 lot cap, or, 142 additional lots if upgrades to evacuation routes are undertaken to reduce the risk

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

AT - 4 Molino Stewart Pitt Town Flood Evacuation Capacity



23 March 2021
General Manager
Hawkesbury City Council
PO Box 146
WINDSOR NSW 2756

Attn: Andrew Kearns
Manager Strategic Planning

Dear Andrew,

Re: Planning Proposal Mitchell Road Pitt Town – Flood Evacuation

I refer to your email dated 12th January 2021 to our client, Mr Bassam Ghantous, with the subject matter "Pitt Town Audit" but which relates to the above issue. This letter sets out to clarify a matter raised in that email with the hope of expediting resolution of the planning proposal.

In that email you state:

"...the advice from Infrastructure NSW via the Department of Planning was such that it is 1,000 additional dwellings above 2003 levels in the study area and 1,100 additional dwellings above 2003 levels if the Evacuation Factor of Safety was reduced to zero – once the study area and numbers are confirmed we will know if the lower threshold (1,000 lots) is applicable, and if not then a fuller understanding of how to achieve an Evacuation Factor of Safety of Zero."

The wording of the sentence suggests a misunderstanding of what is meant by "...if an Evacuation Factor of Safety was reduced to zero".

What the earlier advice from Infrastructure NSW was saying was that previously the NSW SES had assessed that compared to the number of dwellings and vacant lots in Pitt Town in 2003, 1,000 additional dwellings could be evacuated from Pitt Town. This was calculated using the NSW Timeline Evacuation Model (TEM) which compares the time needed to evacuate with the time available to evacuate. If 1,000 new lots were developed then the time needed to evacuate would be less than the time available to evacuate and there would be some surplus time. This surplus time the NSW SES referred to as an Evacuation Factor of Safety.

The NSW SES had advised that if 1,100 new lots were developed there would be no surplus time and effectively the Evacuation Factor of Safety would be zero (i.e. there would be no surplus time). However, the use of this terminology by the NSW SES was misleading because the TEM itself includes safety factors in its assumptions including allowances for delays and low capacities on the evacuation routes.

Nevertheless, zero surplus time (which is a better way to express the results of the calculations) is not a target, nor is it something to be avoided. It is a consideration when assessing the merits of a planning proposal.

We do not dispute the NSW SES's former estimate of the number of additional dwellings which could be accommodated in addition to the dwellings and vacant lots which were present in 2003. The development which has taken place in the Pitt Town flood evacuation sector since then has been much

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ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022



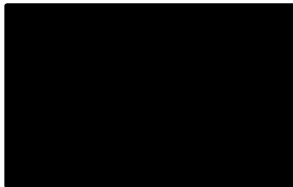
less than 1,000 dwellings and so the modest increment in lots proposed by the Mitchell Road development proposal could easily be accommodated without reducing the surplus evacuation time to zero.

We are also aware that in recent years the NSWSES has changed its approach to assessing the number of vehicles which would need to evacuate from the floodplain now and into the future, taking into account potential infill development under existing zonings. We therefore obtained in 2018 from NSWSES its future projections of evacuating vehicles to 2056. We used these projections and the NSWSES TEM to estimate how many additional lots could be evacuated from Pitt Town and still have surplus evacuation time. While this is a much more conservative approach than the earlier analysis by the NSWSES, this analysis also revealed that the addition of vehicles from the proposed Mitchell Road planning proposal would not reduce the surplus evacuation time to zero. A copy of our detailed analysis is again attached for you reference.

We think a meeting to discuss these matters would assist in clearing up any misunderstanding and moving the matter forward.

Yours faithfully

For Molino Stewart Pty Ltd



Steven Molino
Principal

Enclosures: 1

cc: Bassam Ghantous

<https://molinostewart.sharepoint.com/sites/0996 Mitchell Road Pitt Town- Flood Evac Advice/Reports/Final/0996 Response to Council Mar 2021 v1.1.docx>

oooO END OF REPORT Oooo

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

GENERAL MANAGER

Item: 155 **GM - Review of Delegations of Authority under Section 377 of the Local Government Act 1993 - (79351)**

Previous Item: 129, Ordinary (25 July 2017)

Directorate: General Manager

PURPOSE OF THE REPORT:

The purpose of this report is to outline Council's delegations of authority under Section 377 of the Local Government Act 1993 for review.

EXECUTIVE SUMMARY:

Council is required to review its delegation within the first 12 months of each term of office.

Under Section 377 of the Local Government Act 1993, Council can, by resolution, delegate functions of Council under this or any other Act to the General Manager or to any other person or body.

The suggested delegated authorities include:

- The General Manager
- Council Committees, including:
 - Community Services Committee
 - Environment Committee
 - Innovation and Partnerships Committee
 - Disaster and Emergency Committee
 - Heritage Committee
 - General Manager's Performance Review Panel
- Community based management committees, for:
 - Child care centres
 - Pre-schools
 - Children and family centres
 - Community buildings, neighbourhood centres and halls
 - Playing fields/parks
 - Cemeteries
 - Externally funded services provided by Peppercorn Services Inc.

At its meeting on 9 August 2022, Council received a report on Council's delegations of authority, and resolved that the matter be deferred to a Councillor Briefing Session. The Councillor Briefing Session took place on 30 August 2022.

RECOMMENDATION:

That Council resolve to confirm the delegations attached as Attachment 1 to this report.

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

BACKGROUND

Under Section 380 of the Local Government Act 1993 (the Act), Council is required to review its delegations of authority during the first 12 months of each term of office.

Council's general power to delegate its functions is contained within Section 377 of the Act, which says:

“(1) A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council under this or any other Act, other than the following—

- (a) the appointment of a general manager,*
- (b) the making of a rate,*
- (c) a determination under section 549 as to the levying of a rate,*
- (d) the making of a charge,*
- (e) the fixing of a fee,*
- (f) the borrowing of money,*
- (g) the voting of money for expenditure on its works, services or operations,*
- (h) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),*
- (i) the acceptance of tenders to provide services currently provided by members of staff of the council,*
- (j) the adoption of an operational plan under section 405,*
- (k) the adoption of a financial statement included in an annual financial report,*
- (l) a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,*
- (m) the fixing of an amount or rate for the carrying out by the council of work on private land,*
- (n) the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work,*
- (o) the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the Environmental Planning and Assessment Act 1979,*
- (p) the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,*
- (q) a decision under section 356 to contribute money or otherwise grant financial assistance to persons,*
- (r) a decision under section 234 to grant leave of absence to the holder of a civic office,*
- (s) the making of an application, or the giving of a notice, to the Governor or Minister,*
- (t) this power of delegation,*

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

- (u) *any function under this or any other Act that is expressly required to be exercised by resolution of the council.*
- (1A) *Despite subsection (1), a council may delegate its functions relating to the granting of financial assistance if—*
- (a) *the financial assistance is part of a specified program, and*
- (b) *the program is included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and*
- (c) *the program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and*
- (d) *the program applies uniformly to all persons within the council's area or to a significant proportion of all the persons within the council's area.*
- (2) *A council may, by resolution, sub-delegate to the general manager or any other person or body (not including another employee of the council) any function delegated to the council by the Departmental Chief Executive except as provided by the instrument of delegation to the council."*

Council Committees

Since the last review of the delegations, Council's Committee structure has changed. At the Council Meeting held on 8 December 2020, Council resolved dissolve the following Council Committees as of 31 December 2020:

- Access and Inclusion Committee
- Human Services Advisory Committee
- Tourism Advisory Committee
- Waste Management Advisory Committee
- Civics and Citizenship Committee
- Floodplain Risk Management Advisory Committee
- Infrastructure Committee
- Environment Sustainability Advisory Committee.

The following Council Committees comprising of Councillors were established in their place:

- Community Services Committee
- Environment Committee
- Innovation and Partnerships Committee
- Disaster and Emergency Committee.

The Heritage Committee remained unchanged.

The Office of Local Government's 'Guidelines for the Appointment and Oversight of General Managers' released under Section 23A of the Act provides guidance on the delegations assigned to the General Manager's Performance Review Panel.

Within the General Manager's performance management framework should be a Performance Review Panel who are to be delegated the task of performance reviews of the General Manager. The Panel is to be comprised of the Mayor, the Deputy Mayor, another Councillor nominated by Council and a Councillor nominated by the General Manager.

At the Council Meeting held on 11 January 2022, Councillors Conolly, Calvert and Richards were appointed as representatives on Council's General Manager's Performance Review Panel.

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

Relevant Legislation

Local Government Act 1993.

DISCUSSION

To ensure the effective operation of the organisation, Council delegates authority to the General Manager, Committees and other organisations to provide a wide range of functions and services.

The General Manager sub-delegates appropriate authorities to various staff to facilitate the efficient and effective day-to-day operation of the Council.

The delegations of authority extended by Council under Section 377 of the Act are detailed below and in Attachment 1 to this report.

Delegated Authority to the General Manager

The delegated authority to the General Manager is:

“That:

1. *Hawkesbury City Council in order to provide for the expedient exercise and performance of its powers and duties and the efficient management of its business and responsibilities delegates under Section 377 of the Local Government Act 1993 to the General Manager the exercise of Council’s powers, functions, duties and authorities contained in legislation and the functions of the Council as specified in:*
 - i) *The Local Government Act and related Acts, and;*
 - ii) *Other Acts under which Council has powers, authorities, duties and functions.*
2. *This delegation is subject to the following limitations:*
 - i) *The provisions of the Local Government Act 1993 and any legislation relevant to the delegations;*
 - ii) *Council may by resolution direct the General Manager in the exercise of any function herein delegated;*
 - iii) *The General Manager shall exercise the functions herein delegated in accordance with and subject to:*
 - (a) *the provisions of the Local Government Act 1993 as amended*
 - (b) *all and every policy of the Council adopted by Resolution and current at the time of exercise of the functions herein delegated.*
3. *This delegation shall commence on the date of commencement of duties as General Manager of Hawkesbury City Council and shall remain in force until specifically altered or revoked in writing.”*

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

Delegated Authority to Committees

Council Committees

These Council Committees have the following delegated authority:

- Community Services Committee
- Environment Committee
- Innovation and Partnerships Committee
- Disaster and Emergency Committee
- Heritage Committee.

“The Committee shall have the following authorities delegated to it in accordance with the provisions of Section 377 of the Local Government Act 1993:

- (i) to recommend to Council policies drawn up by professional staff;*
- (ii) to bring to Council’s attention, by way of recommendation, any item requiring a policy decision outside the authority granted to the Committee under Section 377.”*

General Manager’s Performance Review Panel

The delegated authority to the General Manager’s Performance Review Panel is:

“That Council delegate authority to the General Manager’s Performance Review Panel to undertake the whole process of performance review and performance management, including discussions about performance, any actions that should be taken and the determination of the new performance agreement.”

Delegated Authority to Community Based Management Committees

Council has appointed a number of community-based management committees and delegated authority for the care, control and management of their facilities and services to the committees under Section 377 of the Act. The committees are as follows:

Child Care Centres

- Hobartville – Hobartville Long Day Pre-School Inc.
- Greenhills – Greenhills Child Care Centre Inc.
- Glossodia – Golden Valley Learning Centre Inc.
- McGraths Hill – McGraths Hill Children’s Centre Inc.
- North Richmond – Elizabeth Street Extended Hours Pre-School Inc.
- Wilberforce – Wilberforce Early Learning Centre Inc.

Pre-schools

- Richmond Pre-school – Richmond Pre-school Inc.
- Wilberforce Pre-school – Wilberforce Pre-school Inc.
- Windsor Pre-school – Windsor Pre-school Inc.

Children and Family Centres

- Bligh Park Children’s Centre – Bligh Park Children’s Centre Committee
- Hawkesbury Early Intervention Centre – The Stewart Street Centre Management Committee

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

Community Buildings, Neighbourhood Centres and Halls

- Bilpin Hall – The Bilpin District Hall Inc.
- Glossodia Community Centre – Glossodia Community Information and Neighbourhood Centre Inc.
- Hawkesbury Leisure and Learning Centre, Richmond – Peppercorn Services Inc.
- Hawkesbury Skills Centre, Bosworth Street Richmond – Hawkesbury Skills Inc.
- Maraylya Hall, Maraylya - Maraylya Progress Association Incorporated
- North Richmond Community Centre – North Richmond Community Centre Inc.
- Richmond Neighbourhood Centre – Richmond Community Services Inc.
- South Windsor Family Centre – Peppercorn Services Inc.
- St Albans School of Arts – St Albans School of Arts Hall Inc.
- Tingingi Community/Youth Centres and Bligh Park Neighbourhood Centre – Bligh Park Community Services Inc.
- Wilberforce School of Arts – Wilberforce School of Arts Inc.

Playing Fields / Parks

- Active playing fields previously determined by Council – Hawkesbury Sports Council Inc.
- Bowen Mountain Park – Bowen Mountain Management Committee
- McMahon Park – McMahon Park Management Committee
- St Albans Park – St Albans Sport & Recreation Association.

Cemeteries

- Lower Portland Cemetery – Lower Portland Cemetery Committee
- St Albans Cemetery – St Albans Cemetery Committee.

Externally Funded Services

The following services have been delegated to the care and control of Peppercorn Services Inc.:

- Families NSW EIPP Support Service
- Families NSW Hub
- Hawkesbury Community Transport
- Peppercorn Centre Based Meals Program
- Peppercorn Easy Care Garden Maintenance.

Changes to Delegations since last review

In accordance with the requirement to review its delegations within the first 12 months of each term of office, delegations were last reviewed by Council at its meeting on 25 July 2017 following the September 2016 Council elections.

The delegations proposed in this report differ from those made by Council's resolution of 25 July 2017 as follows:

Council Committees

The proposed delegations reflect Council's current Committee structure, which changed in 2020. At the Council Meeting held on 8 December 2020, Council resolved to dissolve the following Council Committees as of 31 December 2020:

- Access and Inclusion Committee
- Human Services Advisory Committee
- Tourism Advisory Committee
- Waste Management Advisory Committee

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

- Civics and Citizenship Committee
- Floodplain Risk Management Advisory Committee
- Infrastructure Committee
- Environment Sustainability Advisory Committee.

The following new Committees were also established:

- Community Services Committee
- Environment Committee
- Innovation and Partnerships Committee
- Disaster and Emergency Committee.

The Heritage Committee continued substantially unchanged, with ongoing community representative membership.

Until the cessation of the previous Council Term, Council's Audit Committee, constituted by Councillors and community members, met in accordance with a charter approved by Council, and had functions delegated to it in relation to the functioning of the Committee and meeting arrangements.

On 11 May 2022 Council resolved to make appointments to its Audit, Risk and Improvement Committee, being a Committee required to be established following amendments to the Act. Council also endorsed Terms of Reference for the Audit, Risk and Improvement Committee and no separate delegation of functions is required.

Community Building/Neighbourhood Centres and Halls

- Blaxlands Ridge Community Centre. Management of this hall was delegated to the Blaxland's Ridge Community Centre Management Committee Inc. This Association is in the process of being closed.
- Horrie Ely Hall, Colo Heights. Management of this hall was delegated to the Colo Heights Neighbourhood Centre and Reserve Management Committee. That Committee has ceased to have sufficient members to operate in a way that allows Council to continue to delegate a management function to it, and a process is underway for the day to day management of the hall to revert to Council.
- Maraylya Hall, Maraylya. The management of this hall was delegated to the Maraylya Hall Management Committee Inc, although the correct name of the Association is the Maraylya Progress Association Incorporated. Since this matter was reported to Council and Councillors were briefed, the status of that Association has been clarified, and therefore it is recommended that the management of the hall be delegated to this Association .

Cemeteries

The Pitt Town Cemetery Committee ceased to function after the delegation of functions to it in 2017.

Work is being undertaken by Council to determine what needs to be done to enhance the functioning of the remaining committees dealing with cemeteries.

Externally Funded Services

At its meeting on 14 June 2022 Council received a report concerning Forgotten Valley Mobile Preschools. In 2007 Council had delegated the service delivery of the Preschools to Peppercorn Services Inc. After considering the report Council resolved to surrender its Service Provider Approval for Forgotten Valley Mobile Preschools, and therefore there is no function to delegate in respect of the services.

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

Hawkesbury Sister City Association

In 2017 Council delegated functions to the Hawkesbury Sister City Association in the following terms:

"Pursuant to the provisions of Section 377 of the Local Government Act 1993, that Council delegate authority to the Hawkesbury Sister City Association to promote, on Council's behalf, understanding at all levels of the local community on a continuing basis with Sister Cities and/or City/Country Alliances as determined from time to time by the Association and Council, and to develop and conduct sporting, youth, cultural and other appropriate exchange programs in association with established Sister City relationships and/or City/Country Alliances."

Council resolved not to allocate funding to the development of exchange programs as part of the 2022/2023 Operational Plan, and therefore the recommendation is that the delegation of functions not be made.

Community Halls – Notice of Motion and Volunteer Program

At Council's meeting on 9 August 2022, reference was made the Notice of Motion dealt with at its meeting on 25 January 2022 concerning Community Halls.

At its meeting on 9 August 2022, Council resolved as follows:

"That Council facilitate a meeting of representatives from community halls within the Local Government Area with the aim of:

- 1. Discussing potential sharing of resources, information, procurement and opportunities to access grant funding;*
- 2. Preparing a register comprising contact details, descriptions of onsite facilities and equipment, and indicating areas where interactions and support can be offered between community halls;*
- 3. Considering an ongoing mechanism for regular engagement of hall representatives with Council and each other; and*
- 4. Identifying respective roles and responsibilities that will be reflected in a renewed agreement between Council and hall committees, to support optimal usage and improvements of these halls."*

Work is underway, as part of the development of Council's volunteer program, to finalise an agreement for community managed Council owned facilities. It is anticipated that the meeting referred to in part 1 of the resolution will take place in October 2022. This work includes initiatives to build the capacity and improve the functioning of management committees.

The development of the agreement for community managed facilities and the implementation of any of the initiatives referred to in the resolution is not expected to have any impact on the substance of the delegation of functions by Council.

COMMUNITY ENGAGEMENT

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy.

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

The proposal is consistent with the following Long-Term Community Objectives set out within the CSP.

Reliable Council

- 4.1 Provide representative, responsive and accountable governance.
- 4.3 Build strong financial sustainability for now and future generations.
- 4.4 Build strong relationships and shared responsibilities.
- 4.5 Encourage a shared responsibility for effective compliance.

FINANCIAL IMPACT

There are no financial implications applicable to this report.

ATTACHMENTS:

AT - 1 Proposed Delegation of Authority extended by Council under the Local Government Act 1993.

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

AT – 1 Proposed Delegation of Authority extended by Council under the Local Government Act 1993

Proposed Delegation of Authority extended by Council under the Local Government Act 1993	
Delegated Authority – General Manager	
Delegated Authority to the General Manager	<ol style="list-style-type: none"> 1. Hawkesbury City Council in order to provide for the expedient exercise and performance of its powers and duties and the efficient management of its business and responsibilities delegates under Section 377 of the Local Government Act 1993 to the General Manager the exercise of Council's powers, functions, duties and authorities contained in legislation and the functions of the Council as specified in: <ol style="list-style-type: none"> i) The Local Government Act and related Acts, and; ii) Other Acts under which Council has powers, authorities, duties and functions. 2. This delegation is subject to the following limitations: <ol style="list-style-type: none"> i) The provisions of the Local Government Act 1993 and any legislation relevant to the delegations; ii) Council may by resolution direct the General Manager in the exercise of any function herein delegated; iii) The General Manager shall exercise the functions herein delegated in accordance with and subject to: <ol style="list-style-type: none"> (a) the provisions of the Local Government Act 1993 as amended (b) all and every policy of the Council adopted by Resolution and current at the time of exercise of the functions herein delegated. 3. This delegation shall commence on the date of commencement of duties as General Manager of Hawkesbury City Council and shall remain in force until specifically altered or revoked in writing.
Delegated Authority – Council Committees	
<ul style="list-style-type: none"> • Community Services Committee • Environment Committee • Innovation and Partnerships Committee • Disaster and Emergency Committee • Heritage Committee 	<p>The Committee shall have the following authorities delegated to it in accordance with the provisions of Section 377 of the Local Government Act 1993:</p> <ol style="list-style-type: none"> (i) to recommend to Council policies drawn up by professional staff; (ii) to bring to Council's attention, by way of recommendation, any item requiring a policy decision outside the authority granted to the Committee under Section 377.
General Manager's Performance Review Panel	<p>That Council delegate authority to the General Manager's Performance Review Panel to undertake the whole process of performance review and performance management, including discussions about performance, any actions that should be taken and the determination of the new performance agreement.</p>

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

Proposed Delegation of Authority extended by Council under the Local Government Act 1993

Community Based Management Committees – Care, Control and Management of a Facility or Service

<p>Child Care Centres</p>	<ul style="list-style-type: none"> • Hobartville – Hobartville Long Day Pre-School Inc. • Greenhills – Greenhills Child Care Centre Inc. • Glossodia – Golden Valley Learning Centre Inc. • McGraths Hill – McGraths Hill Children’s Centre Inc. • North Richmond – Elizabeth Street Extended Hours Pre-School Inc. • Wilberforce – Wilberforce Early Learning Centre Inc.
<p>Pre-schools</p>	<ul style="list-style-type: none"> • Richmond Pre-school – Richmond Pre-school Inc. • Wilberforce Pre-school – Wilberforce Pre-school Inc. • Windsor Pre-school – Windsor Pre-school Inc.
<p>Children and Family Centres</p>	<ul style="list-style-type: none"> • Bligh Park Children’s Centre – Bligh Park Children’s Centre Committee • Hawkesbury Early Intervention Centre – The Stewart Street Centre Management Committee.
<p>Community Buildings, Neighbourhood Centres and Halls</p>	<ul style="list-style-type: none"> • Bilpin Hall – The Bilpin District Hall Inc. • Glossodia Community Centre – Glossodia Community Information and Neighbourhood Centre Inc. • Hawkesbury Leisure and Learning Centre, Richmond – Peppercorn Services Inc. • Hawkesbury Skills Centre, Bosworth Street Richmond – Hawkesbury Skills Inc. • Maraylya Hall, Maraylya - Maraylya Progress Association Incorporated • North Richmond Community Centre – North Richmond Community Centre Inc. • Richmond Neighbourhood Centre – Richmond Community Services Inc. • South Windsor Family Centre – Peppercorn Services Inc. • St Albans School of Arts – St Albans School of Arts Hall Inc. • Tingingi Community/Youth Centres and Bligh Park Neighbourhood Centre – Bligh Park Community Services Inc. • Wilberforce School of Arts – Wilberforce School of Arts Inc.
<p>Playing Fields / Parks</p>	<ul style="list-style-type: none"> • Active playing fields previously determined by Council – Hawkesbury Sports Council Inc. • Bowen Mountain Park – Bowen Mountain Management Committee • McMahon Park – McMahon Park Management Committee • St Albans Park – St Albans Sport & Recreation Association.
<p>Cemeteries</p>	<ul style="list-style-type: none"> • Lower Portland Cemetery – Lower Portland Cemetery Committee • St Albans Cemetery – St Albans Cemetery Committee.

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

Proposed Delegation of Authority extended by Council under the Local Government Act 1993

Externally Funded Services delegated to the care and control of Peppercorn Services Inc.

- Families NSW EIPP Support Service
- Families NSW Hub
- Hawkesbury Community Transport
- Peppercorn Centre Based Meals Program
- Peppercorn Easy Care Garden Maintenance.

oooO END OF REPORT Oooo

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

Item: 156 **GM - Motions - 2022 Local Government NSW Annual Conference - (79351, 79633)**

Previous Item: 126, Ordinary (19 July 2022)
 139, Ordinary (9 August 2022)

Directorate: General Manager

PURPOSE OF THE REPORT:

The purpose of this report is to consider motions proposed to be submitted by Council to the 2022 Local Government NSW Annual Conference.

EXECUTIVE SUMMARY:

The 2022 Local Government NSW Annual Conference is to be held from 23 to 25 October 2022.

At its meeting on 9 August 2022 Council resolved to submit a motion to the Conference concerning the inclusion of heatwaves as Natural Disasters and revision of the National Building Code and Basix to include heat resilience. Local Government NSW requires any Conference motions to be submitted by Sunday, 25 September 2022.

An additional four proposed motions have been received, asking Local Government NSW to call on the NSW Government to take action in preparedness for and recovery from natural disasters.

RECOMMENDATION:

That:

1. The report be received and noted.
 2. In addition to the motion Council resolved at its meeting on 9 August 2022 to submit to the 2022 Local Government NSW Annual Conference, Council submit to the 2022 Local Government NSW Annual Conference motions regarding:
 - a) Removal of State-based duties and taxes on insurance premiums.
 - b) Establishment of a Betterment Fund to be made available post-natural disasters to impacted Local Government Areas.
 - c) Rapid relief funding for flood affected Local Government Areas.
 - d) Movement to a risk-based planning system, and implementation of a State-wide program for provision of fire, flood and extreme heat risk information for property owners.
-

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

BACKGROUND

The Local Government NSW Annual Conference is the annual policy-making event for NSW councils and an opportunity for councillors to come together to share ideas and debate issues that shape the way councils govern.

Local Government NSW has called for motions to be considered at the Conference. Local Government NSW have requested councils submit any motions by Sunday, 25 September 2022.

The Board has resolved that motions will be included in the Business Paper for the Conference only where they:

1. Are consistent with the objects of Local Government NSW (see Rule 4 of the Association's Rules).
2. Relate to or concern local government as a sector in NSW and/or across Australia.
3. Seek to establish or change policy positions of Local Government NSW and/or improve governance of the Association (noting that the LGNSW Board is responsible for decisions around resourcing any campaigns or operational activities, and any necessary resource allocations will be subject to the Local Government NSW budgetary process).
4. Have a lawful purpose (a motion does not have a lawful purpose if its implementation would require or encourage non-compliance with prevailing laws).
5. Are clearly worded and unambiguous in nature.
6. Do not express preference for one or several members over one or several other members.

The format of motions, as much as possible, should call on a specific body (e.g. LGNSW, state government, federal government, a specific department or minister) and have a specific outcome that the motion is aiming to achieve. The wording should be unambiguous.

Attached as Attachment 1 to this report is the Local Government NSW 2022 Annual Conference Motion Submission Guide.

Following the Local Government Elections in December 2021, Local Government NSW held a Special Conference on 28 February to 2 March 2022 during which Motions were considered. Council submitted one motion concerning refining post-disaster planning approval processes.

At its meeting on 9 August 2022 Council considered a report concerning Local Government NSW Conference motions and resolved as follows:

"That:

1. *The report be received and noted.*
2. *Council submit to the 2022 Local Government NSW Annual Conference a motion regarding inclusion of heatwaves as Natural Disasters and revision of the National Building Code and Basix to include heat resilience.*
3. *A copy of Council's 2022 Local Government NSW Annual Conference motion be forwarded to WSROC."*

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

Prior to the Council meeting on 9 August 2022 Councillor Wheeler circulated to Councillors four proposed draft Conference motions. The following proposed motions have been submitted for consideration:

1. That the LGNSW calls on the NSW Government to remove State-based duties and taxes on insurance premiums that disproportionately increase costs in Local Government Areas with higher risks of flood and fire to improve the rates of under-insurance and non-insurance.
2. That LGNSW calls on the NSW Government to establish a Betterment Fund to be made available post-natural disasters to impacted Local Government Areas, to enable infrastructure assets to be replaced and rebuilt with a higher level of resilience.
3. That LGNSW requests the NSW Government to provide rapid-relief funding for flood-affected Local Government Areas in NSW, including funding for improvements to evacuation routes, local roads and riverbanks, and that the competitive element of this funding be removed for key flood affected areas, including the Northern Rivers and Hawkesbury Nepean.
4. That LGNSW calls on the NSW Government to immediately move to a risk-based planning system that better accounts for the increased impacts of fire, flood and extreme heat in NSW, and implements a State-wide program for the provision of flood, fire and extreme heat risk information for property owners, consistent with evidence given to the NSW Upper House Select Committee on the Response to Major Flooding across New South Wales in 2022.

DISCUSSION

Council has resolved to submit one motion to the Local Government NSW Annual Conference. It is recommended that Council submit the additional four proposed motions contained in this report.

COMMUNITY ENGAGEMENT

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy.

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

The proposal is consistent with the following Community Outcome and Long Term Objectives within the CSP.

Reliable Council

- 4.1 Provide representative, responsive and accountable governance.
- 4.3 Build strong financial sustainability for now and future generations.
- 4.4 Build strong relationships and shared responsibilities.

FINANCIAL IMPACT

There are no financial implications applicable to this report. The cost for nominated Councillors to attend the Conference was reported to Council on 19 July 2022 and the expenditure applicable is provided for in the Adopted 2022/2023 Operational Plan.

ATTACHMENTS:

- AT - 1 Local Government NSW 2022 Annual Conference Motion Submission Guide - (*Distributed under separate cover*).

oooO END OF REPORT Oooo

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

CITY PLANNING

Item: 157 **CP - Outcome of Public Exhibition - Draft Destination Management Plan - (95498, 124414, 147666)**

Previous Item: 104, Ordinary (14 June 2022)

Directorate: City Planning

PURPOSE OF THE REPORT:

The purpose of this report is to advise Council of the outcome of the public exhibition of the Draft Destination Management Plan and seek to adopt the Plan.

EXECUTIVE SUMMARY:

Council adopted the Business Recovery Plan in May 2021. This Plan was prepared to help businesses recover from the external shocks of bushfires, floods and COVID-19. Since then, Council has been successful in receiving a \$200,700 grant from the Bushfire Local Economic Recovery Fund (BLERF) Stage 2 to enable implementation of various actions stemming from the Business Recovery Plan. The development of the Destination Management Plan is an action from the Business Recovery Plan.

Council at its meeting on 14 June 2022, resolved to place the Draft Destination Management Plan on public exhibition.

The Draft Plan was publicly exhibited for 28 days from 1 July to 29 July 2022. As a result of the July floods, the public exhibition period was extended to 12 August 2022. Seven submissions were received during the exhibition period and the issues raised have been summarised in this report.

RECOMMENDATION:

That Council adopt the Destination Management Plan attached as Attachment 1 to this report.

BACKGROUND

At the Ordinary Meeting Council held on 14 June 2022, consideration was given to a report regarding the Draft Destination Management Plan. Council adopted the following resolution relevant to this report:

"That":

1. *The Draft Destination Management Plan is placed on public exhibition for a period of 28 days.*
2. *At the expiration of the public exhibition period, the following action be taken:*
 - a) *Should any submissions be received regarding the Draft Destination Management Plan, a further report to be submitted to Council or*
 - b) *Should no submissions be received, Council adopts the Draft Destination Management Plan attached to this report."*

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

DISCUSSION

Council as its meeting on 14 June 2022 resolved to place the Draft Destination Management Plan on public exhibition for 28 days from 1 July to 29 July 2022. As a result of the July floods, the public exhibition period was extended to 12 August 2022.

The draft document was circulated via Council's website, media releases, advertisement in Council Notices, through Council's social media platforms, by way of Council's online community portal *Your Hawkesbury Your Say* promoted in the business newsletter and via direct emails to the Tourism Business Operators, Industry Engagement Sessions and the Business Mentoring Program. Hard copies were also made available at the Council's Administration Building, Richmond and Windsor libraries.

During the exhibition period, seven submissions were received. A summary of comments received and Council staff responses to the submissions are found in the table below.

Submissions Received and Outcomes

Number	Comment	Outcome
1	<p>Excellent idea but a couple of questions.</p> <ul style="list-style-type: none"> - Does Council have an overall Economic Development Plan for the Hawkesbury? - From a strategic standpoint how does this plan link to it to assist in achieving its goals? - If there is no Hawkesbury Economic Development Plan the question is, why not? 	<p>This submission is not related to the Destination Management Plan (the Plan) but has been noted and will be taken into consideration as an Economic Development Strategy will be developed in 2023 following the conclusion of the Business Recovery Plan implementation.</p>
2	<p>There are concerns in the Hawkesbury leaving the Destination Sydney Surrounds North (DSSN). Perhaps Council could release more information on where we are now grouped and its potential benefits specifically to Hawkesbury Tourism.</p> <ul style="list-style-type: none"> - Extending into neighbouring areas sounds good but there is the geographical distance to consider. For example, if I'm looking to visit the Hunter, I'm not going to stay in Kurrajong. We also need to be independent. What will the other LGA's gain from us? Are they likely to see this as worthwhile to them? - What events are on for Tourism? Hawkesbury Fest has been cancelled and the Savour the Flavour is only one day. Any others in the pipeline? - We need big events like the World Polo Championships. - What is the plan to attract future visitors from the Western Sydney International Airport? - More Aboriginal history and culture. Eg maps, booklets, walking tours etc at the tourism info centre 	<p>Council received advice on the changes to the Destination Sydney Surrounds North outcome, and this information was communicated via the September Business newsletter.</p> <p>This suggestion will be taken into consideration as part of the implementation of the Destination Management Plan.</p> <p>Council delivers events such as Hawkesbury Fest, Savour the Flavour and Light up Windsor.</p> <p>There are many large scale events run in the Hawkesbury by other organisers aimed at attracting visitors which will continue.</p> <p>Destination NSW is currently developing a Destination Management Plan with actions to address attracting visitors from the Western Sydney International Airport.</p> <p>The inclusion of an Aboriginal heritage trail has been included as part of the Wayfinding and Signage Project scope.</p>

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

	<ul style="list-style-type: none"> - Recognition that a lot of the accommodation services in the Hawkesbury aren't large hotels but in fact small Airbnbs, BnBs etc. * A faster and more efficient Council Approval Process for Tourism based businesses. Eg PYO, road stalls, developments. * We'd love Council to get in touch, run working groups where there is a great range of Hawkesbury based tourism operators eg restaurants, distilleries, cellar doors, accommodation services, transport, tour companies etc. - Continue the Business Bounce Back Mentoring Program and continue to run more networking sessions. - Consider a Hawkesbury Quarterly Magazine just like the Blue Mountains - Create a voucher/coupon booklet involving local restaurants, accommodation, tours, activities etc - Agree to the monthly tourism business e-newsletter and to the outsourced model. This might re-engage local businesses. - Consider focusing some marketing on the "food bowl". Look into Gastronomy and beverage tourism. We've got wineries and a lot of new fine/gourmet dining restaurants. - For ecotourism, consider grants for solar. We certainly need it considering how many power outages we have. E.g. Many restaurants have to close for the night when this happens. - It wasn't mentioned, but Weddings also bring in a lot of tourism dollars. We accommodate a lot of wedding guests that stay the whole weekend and make a holiday out of it. 	<p>Council notes that many accommodation providers are not large hotels.</p> <p>Council will take this submission under consideration as part of the implementation of the Plan.</p> <p>Council has been running Tourism Industry Engagement Sessions during 2021 to 2022 to provide education and an opportunity for networking.</p> <p>Council was successful in achieving grant funding to run this program and will continue to look for funding to deliver programs such as the Business Bounce Back Program.</p> <p>Council will take these suggestions under consideration as part of the implementation of the Plan.</p> <p>A monthly business e-newsletter is sent to over 4,000 businesses. A quarterly tourism e-newsletter is sent to tourism operators.</p> <p>Council will take these suggestions under consideration as part of the implementation of the Plan.</p>
3	<p>Council should focus on flood recovery.</p>	<p>Council continues to focus on flood recovery and is delivering a range of social and infrastructure projects to support flood recovery.</p>
4	<p>The document mentions events, but it does not consult or address them as tourism businesses. Events are recognised as part of the tourism sector by destination NSW and other bodies, so their absence from this plan seems at odds with the existing Australian and NSW definition of the tourism sector.</p>	<p>This is a high level document, great feedback has been received throughout the public exhibition process and will all be looked at and considered as part of the implementation of the Destination Management Plan.</p>

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

	<p>Their inclusion and how they fit in with this plan would help to establish the broader context.</p> <p>There is also suggestion that council should establish a networking and similar group, but there is no audit included of the existing business and tourism sector bodies that exist in the Hawkesbury. Including an analysis will provide context and a diagram for how these organisations will work with the new council initiatives would be helpful.</p> <p>It was listed that consultation was undertaken with the local industry and that there are only 288 tourism sector businesses within the Hawkesbury. There appear to be many more businesses in the sector when using the Destination NSW criteria for a tourism business and many of the businesses cannot recall any consultation. Adding to the plan the specifics of the consultation may assist businesses to understand how they were consulted.</p> <p>While the document is called a plan, it does not include specific goals or timelines, but vague comments and observations making it more in line with a discussion paper or analysis than a plan. To turn this into a list of specific goals and then actions to achieve those goals by 2024 appears to be very optimistic, an inclusion of specific goals with timeframes and KPIs would help users and stakeholders to understand how this will be implemented and help to gauge the plans success.</p>	<p>Council has been running Tourism Industry Engagement Sessions during 2021 to 2022 to provide education and an opportunity for networking. Council will take this suggestion under consideration as part of the implementation of the Plan.</p> <p>Council has included details of the consultation undertaken in this report.</p> <p>This is a high level document; this suggestion will be considered as part of the implementation of the Destination Management Plan.</p>
<p align="center">5</p>	<p>I would like to see the Hawkesbury area put on the map not just Windsor, Richmond or Bilpin. There so many other areas that provide for tourism, but they seem to be forgotten. Sure, places like Bilpin attract visitors but just for the day, to pick apples, buy a pie and head back home.</p> <p>I would like to see more lit up signage at the entrance to Kurrajong village, on the corner of Bell Line of roads and Old Bells Line of roads. Antique looking street lights, and more benches and parking in Kurrajong Village. Dedicated cycle paths that might start from Windsor through to Richmond up to North Richmond, Kurmond and through Comleroy back down to Windsor for example.</p> <p>Allocate street signs on streets where registered accommodation business operate.</p>	<p>Council will take this submission under consideration as part of the Place Planning Community Consultation and Engagement currently underway.</p> <p>Signage is currently being considered as part of the Wayfinding and Signage Project.</p>

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

	<p>Outdoors theatres, host world class events such as concerts, cycling events similar to what has been implemented in the Snowy Mountains.</p> <p>Extended hours of trade. When overseas tourists start returning to our beautiful Hawkesbury, they need places to go to places such as restaurants that do not close at 10pm. We need to become a world class destination.</p> <p>Develop the walkway along the river in Windsor with lighting and food stall etc.</p> <p>We also need better public transport facilities to allow tourists to get about. Be able to go out and have a drink or two and not have to worry about driving back to their accommodation. What if there were minibuses that could be provided by council at a minimal user fee??</p> <p>There is a lot more that can be done. Maybe a committee or subcommittee can be set up with business owners on these committees to work on allocated projects?</p> <p>Get all the various regions of the Hawkesbury to work and collaborate and work together to attract and retain visitors to our region. That is certainly not happening now.</p>	
6	<p>There needs to be outdoor dining allowed in the mall for licences premises and an ambiance added to the mall.</p> <p>There also needs to be plaques on heritage buildings so people can read the history of our area.</p> <p>More tours/activities within Windsor itself not everyone who visits wants to drive to kurrajong etc</p>	<p>Council notes this comment. The Windsor Mall Policy allows for outdoor dining in the mall.</p> <p>The inclusion of blue plaques on heritage buildings has been included as part of the Wayfinding and Signage Project scope.</p>
7	<p>DNSW asked for any reference to the Destination Sydney Surrounds North to be amended to read 'the Greater Sydney Region'</p>	<p>Council notes this comment and the document has been updated to reflect the requested changes.</p>

Based on the Council response to the matters raised in the public exhibition of the Draft Plan, no further changes will be made to the Draft Plan.

COMMUNITY ENGAGEMENT

Community consultation has been undertaken in line with Council's Community Engagement Policy. The Draft Destination Management Plan was placed on public exhibition for the period of 42 days from 1 July 2022 to 12 August 2022.

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN

The proposal is consistent with the following Long-Term Community Objectives set out within the CSP.

Great Place to Live

- 1.3 Increase the range of local partnerships and plan for the future.
- 1.4 Facilitate the delivery of infrastructure through relevant agencies for Council's own works.
- 1.5 Provide the right places and spaces to serve our community.

Strong Economy

- 3.2 Increase the range of local industry opportunities and provide effective support to continued growth.
- 3.3 Promote our community as the place to visit, work and invest.
- 3.4 Support the revitalisation of our town centres and growth of our business community.
- 3.5 Celebrate our creativity and cultural expression.

Reliable Council

- 4.3 Build strong financial sustainability for now and future generations.
- 4.7 Encourage informed planning, balanced growth and community engagement.
- 4.8 Facilitate the delivery of infrastructure through relevant agencies and Council's own works.

FINANCIAL IMPACT

The development of the Destination Management Plan is funded from the Bushfire Local Economic Recovery Fund (BLERF) Stage 2 Grant. As such, there is no financial impact associated with this report.

ATTACHMENTS:

- AT - 1** Draft Destination Management Plan - *(Distributed under separate cover).*

oooO END OF REPORT Oooo

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

Item: 158 **CP - Draft Waste and Resource Strategy 2032 - (95498)**

Directorate: City Planning

PURPOSE OF THE REPORT:

The purpose of this report is to:

- Provide an overview of the Draft Waste and Resource Recovery Strategy 2032.
- Seek Council's endorsement to place the Draft Waste and Resource Recovery Strategy 2032 on public exhibition.

EXECUTIVE SUMMARY:

This report provides an update on important waste and resource recovery matters for New South Wales and for the Hawkesbury LGA, an overview of the Draft Waste and Resource Recovery Strategy 2032, and an outline of the extensive community engagement undertaken in February 2022.

RECOMMENDATION:

That Council:

1. Endorse the Draft Waste and Resource Recovery Strategy 2032, included as Attachment 1 to this report, for the purpose of public exhibition for a period of at least 28 days.
 2. Receive a report on the outcome of public exhibition of the Draft Waste and Resource Strategy 2032.
-

BACKGROUND

The Draft Waste and Resource Recovery Strategy 2032, broadly responds to two primary drivers:

- It outlines how Council plans to respond to the NSW Government's Waste and Sustainable Materials Strategy 2041, and
- Addresses the particular needs and characteristics of the Hawkesbury.

The NSW Waste and Sustainable Materials Strategy 2041, released in June 2021, has outlined key reforms for NSW, including:

- Food Organics and Garden Organics (FOGO) bin service for all NSW households by 2030 Mandate
- Establishing a Circular Economy in NSW
- Reduce waste related greenhouse gas emissions
- Phase Out Single-Use Plastics
- Increase the use of recycled content
- Incentivise biogas generation from waste.

Of these key reforms, the most significant to the Hawkesbury is the 2030 FOGO mandate.

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

To date, the NSW Environment Protection Authority has not released the regulations on how the FOGO Mandate will apply. These regulations are expected to have significant implications for local government areas such as the Hawkesbury, which is peri-urban in character and a large geographical area. Currently, only urban areas have a Garden Organics Bin, and it is not anticipated that there will be any significant challenges to introducing a FOGO service within the footprint of the Garden Organics Bin. However, it is reasonable to anticipate that there are likely to be significant challenges – including logistics and serviceability, cost of service and adoption – if the mandate prevails and Council is required to provide a FOGO service to the rural and more remote areas of the LGA.

With respect to the other key reforms, these either have a peripheral impact on Council's business, or there are low barriers to Council contributing to them.

For example, with respect to *Establishing a Circular Economy in NSW*, Council has entered a Memorandum of Understanding with Western Sydney University (WSU) and Sydney Water for the Hawkesbury Circular Economy Hub, which will be located on the WSU Hawkesbury Campus. This project will look at the feasibility of integrating organic waste management, wastewater recycling, bioenergy, and food production.

Council's household organic waste will be considered as a key input to bioenergy production and a source of nutrients for food production.

With respect to the particular needs and characteristics of the Hawkesbury, it is worth noting the following.

Council currently employs a mix of contract and day-labour arrangements to resource the kerbside waste collection.

Current waste collection arrangements and contracts include:

- General waste, red bin collections, are provided internally
- Bulky waste clean up serviced by contract with Cleanaway ends 30 June 2023
- Garden organics and recycling serviced by contracts with JJ Richards ends 30 September 2023.

A significant internal driver of our strategic direction relates to the end of life (for landfilling) for the Waste Management Facility. All landfill volume is forecast to be exhausted by 2026.

Relevant Legislation

Waste Avoidance and Resource Recovery Act 2001
Protection of the Environment Operations (Waste) Regulation 2014
Local Government Act 1993

DISCUSSION

Draft Waste and Resource Recovery Strategy 2032

Council is committed to protecting and enhancing the built and natural environment for current and future generations as part of the Hawkesbury Community Strategic Plan 2022-2042. Council has developed the Draft Waste and Resource Recovery Strategy 2032 to realise this vision within the context of waste management.

Attachment 1 includes the Draft Waste and Resource Recovery Strategy 2032.

The Draft Waste and Resource Recovery Strategy 2032 aims to achieve a higher rate of resource recovery with a focus on community waste education, the transition to a FOGO service (as mandated by the NSW Government's Waste and Sustainable Materials 2041 Strategy) and considering innovative and emerging waste technologies. The primary aim is to minimise the environmental impact of waste generation in the Hawkesbury Local Government Area.

This Strategy supports the actions within multiple strategic documents at International, Federal, State, and Local levels, including the Hawkesbury City Council Net Zero Emissions and Water Efficiency Strategy. The call to action is emphasised by the limited remaining life of the landfill at Hawkesbury City Waste Management Facility. It is expected that the landfill capacity at the site will be exhausted by 2026, and as such needs to transition to waste management solutions that recover resources and/or energy from the residual waste stream.

A 10-year timeframe for this Strategy has been nominated which is appropriate given the significant timeframes necessary for due diligence, community education, planning, and contracting arrangements.

The Strategy consists of three themes each with its own objectives and goals as outlined in **Figure 1 Waste and Resource Recovery Strategy 2032 Themes, Objectives, and Goals** and 27 key actions as outlined in the Strategy in Appendix D “Detailed Plan for Strategy Implementation”.

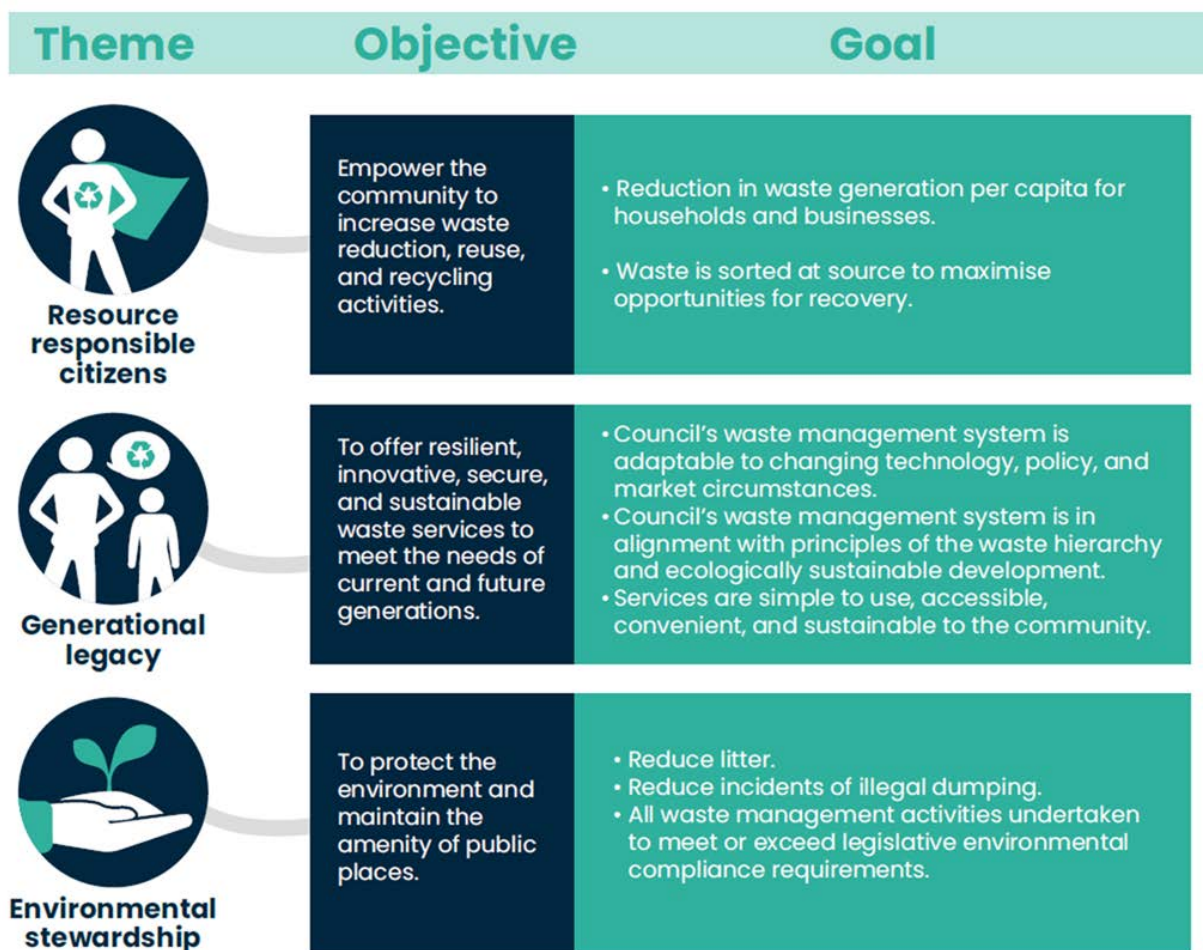


Figure 1: Waste and Resource Recovery Strategy 2032 Themes, Objectives, and Goals

Waste Collections and Processing Tender

The Waste Collections and Processing Tender will enter Council into 10-year contracts for the following waste and resource recovery services:

- Recycling Collections and Processing
- Garden Organics/ FOGO Collections and Processing
- Bulky Waste Collections and Processing

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

Table 1 Summary of Waste Collection Contracts within the Waste Tender outlines the current and proposed options for the waste collection contracts as structured within the Waste Tender.

Contract	Major Changes/ Comments
General Waste Collections	Currently In-House and will not be included in the Waste Tender.
Recycling Collections and Processing	Include cost options for weekly and fortnightly recycling collections within the Tender, however, there are likely to be no major changes with this service. Contractor to secure the processing arrangements with the Materials Recovery Facility.
Garden Organics/ FOGO Collections and Processing	Initially, no change will include an option to transition mid-contract to FOGO. Red Bin is reduced in size when FOGO commences. Contractor to secure the processing arrangements
Bulky Waste Collections and Processing	Include costs options for the costs per booked clean up: <ul style="list-style-type: none">• 1 clean up per property,• 2 clean ups per property,• additional clean ups (resident pays directly) The current contract costs are fixed, regardless of how many or how few clean ups are booked each year. The new Tender should result in a better cost arrangement i.e. cost per clean up booked. Contractor to secure the processing arrangements.

Waste Management Facility

The Hawkesbury City Waste Management Facility is located on The Driftway at South Windsor, and currently operates as a landfill, as well as a waste drop-off point, and the Hawkesbury Community Recycling Centre.

The facility accepts the following items:

- General Waste
- Flood-damaged waste
- Domestic kerbside recyclables
- Paper and unwaxed cardboard
- Scrap steel
- Sump oil
- Car batteries
- Problem household waste
- Mattresses
- Building waste
- Tyres.

The landfill at the Hawkesbury City Waste Management Facility is expected to reach capacity by 2026, within the life of this Strategy. It will be subject to its own detailed planning, responding to the strategic objectives established by this Strategy.

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

NSW EPA Food Organics and Garden Organics (FOGO) Mandate

The NSW Waste and Sustainable Materials Strategy 2041 mandates that all councils in NSW are required to introduce a Food Organics and Garden Organics (FOGO) service by 2030. It is standard practice that a FOGO bin is collected weekly, but councils can retain weekly red bin collections or change red bin collections to fortnightly.

The development of Council's ten-year Draft Waste and Resource Recovery Strategy included an Options Assessment which determined that the difference in the overall recovery rate with a FOGO service with fortnightly red bin collections is 51% and a FOGO service with weekly red bin collections is 49%.

Therefore, it is the intention to retain weekly red bin collections when FOGO collections are introduced for the following reasons:

- Negligible resource recovery benefit in fortnightly red bin collections
- Weekly red bin collection reduces major criticism when a FOGO service is introduced and ongoing
- Current plans to change remote properties with a fortnightly red bin collection to weekly collections, only then to revert to fortnightly collections

Natural Disaster – Service continuity during floods

Council is currently investigating an option to obtain EPA approval for a temporary transfer station to become operational during flood events, to be located at the former landfill site, 743 Putty Road, East Kurrajong.

During the 2020 flood event, a small amount of red bin waste was unloaded at the site, but the EPA will only approve this again if adequate controls are implemented for odour, litter, leachate, etc.

Council has also reached agreements with other council and commercial disposal sites for the red bin waste in the event that Council's landfill is not available. These include Lithgow City Council, Central Coast Council, Cleanaway, and Remondis.

COMMUNITY ENGAGEMENT

Council delivered a comprehensive community engagement strategy over a six week period in January and February 2022, with the aim to receive feedback from the community about Council's Waste Services.

Council wanted to provide the community with the opportunity to inform Council's decision-making as it plans for its future waste services, with new waste contracts commencing in 2023, and Council at the same time is developing its long-term Waste and Resource Recovery Strategy.

The Communications Strategy for Council resulted in one of the largest ever responses to a Council survey, with 1,908 responses, and 10,577 residents reached on social media. Council utilised as many channels as possible from print and social media to direct marketing via newsletters and emails, to flyers and banners at key community locations.

The survey results have been produced into an engagement snapshot report, Attachment 2 "Waste Services Survey Insights". This document has been shared with residents who responded to the survey, and has been included in the Draft Waste and Resource Recovery Strategy. **Figure 2, Waste Services Survey – Top Five Insights** states the most significant findings from this community engagement.



Figure 2: Waste Services Survey – Top Five Insights

Overall, due to the high response rate, Council has a clear understanding of what the community's needs and expectations are for Council's waste services. Council is committed to using the valuable feedback to inform its decision-making about Council's future waste services.

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

The proposal is consistent with the following Long-Term Community Objectives set out within the CSP.

Protected Environment and Valued History

- 2.3 Encourage and enable our community to embrace the waste management principles of reduce, reuse and recycle.
- 2.4 Encourage and enable our community to make more sustainable choices.
- 2.5 Value, protect and enhance our waterways and wetlands with an emphasis on using local resources and key partnerships.
- 2.6 Achieve net zero emissions targets.

Reliable Council

- 4.2 Encourage an informed community.
- 4.6 Support the operation of the organisation through effective staff engagement.

FINANCIAL IMPACT

The matters raised in this report have direct financial implications. The income and expenditure applicable is provided for within the Domestic Waste Reserve (Service Component 881) in the Adopted 2022/2023 Operational Plan and the Long Term Financial Plan.

Any changes from the assumption made in the Long Term Financial Plan in relation to expenditure within the Strategy will be updated as part of the 2023/2024 Long Term Financial Plan and may impact the Annual Charges levied in future years.

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

ATTACHMENTS:

AT - 1 Draft Waste and Resource Recovery Strategy 2032 - *(Distributed under separate cover)*.

AT - 2 Waste Services Insights Survey - February 2022 - *(Distributed under separate cover)*.

oooO END OF REPORT Oooo

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

CORPORATE SERVICES

Item: 159 **CS - Investment Report - July 2022 - (95496)**

Previous Item: 129, Ordinary (19 July 2022)

Directorate: Corporate Services

PURPOSE OF THE REPORT:

The purpose of this report is to provide the Council with a written report setting out details of all money that the Council has invested under Section 625 of the Local Government Act 1993.

EXECUTIVE SUMMARY:

This report indicates that Council held \$71.1 million in investments as at 31 July 2022 and outlines that all investments were made in accordance with the Act, the Regulation and Council's Investment Policy.

RECOMMENDATION:

That the Monthly Investment Report for July 2022 be received and noted.

BACKGROUND

Council held \$71.1 million in investments as at 31 July 2022. Details on the composition of the Investment Portfolio, and its compliance with Council's Investment Policy are provided below. Details include the financial institutions with which the investments were made, the maturity date (where applicable), the rate of return achieved, the credit rating of the institutions both in the short term and the long term, the percentage of the total portfolio, exposure to credit ratings bands and the spread of maturities.

Location Plan

1. Composition of Investment portfolio

Tables 1 to 3 below provide details regarding the \$71.1 million in investments held as at 31 July 2022.

Table 1 – Summary of Council's Investment Portfolio as at 31 July 2022

Product Type	Face Value	% of Total
At Call Deposits	\$3,209,334	4.5%
Term Deposits - Fixed Rate	\$67,000,000	94.2%
NSWTCorp Long Term Growth Fund	\$912,400	1.3%
Grand Total	\$71,121,734	100.0%

Table 2 – Total Investments by Issuer's Long – Term Credit Rating

Long Term Credit Rating	Face Value	% of Total
AA-	\$63,209,334	88.9%
BBB+	\$7,000,000	9.8%
NSWTCorp Managed Funds	\$912,400	1.3%
Grand Total	\$71,121,734	100.0%

ORDINARY MEETING
SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

Table 3 – Fixed Term Deposits

Institution	Long Term Rating	Short Term Rating	Maturity	Rate	Face Value
Bank of Queensland	BBB+	A-2	28-Oct-22	1.95%	\$2,500,000
			09-Nov-22	2.50%	\$1,500,000
			04-Mar-24	1.70%	\$2,000,000
ME Bank (part of BOQ)	BBB+	A-2	09-Dec-22	0.70%	\$1,000,000
Commonwealth Bank of Australia	AA-	A-1+	10-Aug-22	1.47%	\$4,000,000
			29-Sep-22	0.52%	\$1,000,000
			29-Sep-22	2.44%	\$1,000,000
			12-Oct-22	2.42%	\$2,000,000
			28-Nov-22	0.46%	\$2,000,000
			08-Dec-22	0.46%	\$1,000,000
			02-Mar-23	0.85%	\$2,000,000
			21-Apr-23	2.20%	\$2,000,000
			05-May-23	3.08%	\$2,000,000
			08-Jun-23	3.68%	\$1,500,000
			20-Nov-23	0.65%	\$1,000,000
			10-Apr-24	3.01%	\$2,000,000
National Australia Bank	AA-	A-1+	10-Aug-22	1.46%	\$1,500,000
			22-Sep-22	0.35%	\$2,000,000
			29-Sep-22	2.28%	\$1,000,000
			29-Dec-22	0.45%	\$3,000,000
			22-Feb-23	0.50%	\$2,000,000
			08-Mar-23	0.50%	\$1,000,000
			08-Sep-23	0.60%	\$1,000,000
			19-Aug-24	0.75%	\$3,000,000
			10-Sep-24	0.80%	\$1,000,000
			19-Nov-24	0.75%	\$1,000,000
			15-Jan-25	0.80%	\$500,000
			05-Mar-25	1.05%	\$1,500,000
			03-Nov-25	0.95%	\$500,000
			19-Nov-25	0.90%	\$500,000
			13-Jan-26	1.00%	\$500,000
04-Mar-26	1.30%	\$1,500,000			
Westpac	AA-	A-1+	30-Sep-22	0.34%	\$3,000,000
			11-Jan-23	0.79%	**\$3,000,000
			25-Jan-23	3.10%	\$2,000,000
			10-Feb-23	0.88%	**\$2,000,000
			11-Apr-23	1.86%	\$1,500,000
			09-Jun-23	0.90%	**\$1,000,000
			27-Jun-23	3.81%	\$3,500,000
10-Nov-23	1.11%	**\$1,000,000			
Grand Total					\$67,000,000

**Environmental, Social and Governance (ESG) investments as per Council's Investment Policy.

2. Environmental, Social and Governance (ESG) Investments

Tables 4 and 5 below provide the details on Environment, Social and Governance (ESG) investments and the proportion compared to the total Investment Portfolio.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

Table 4 – ESG Investments

Institution	Long Term Rating	Short Term Rating	Maturity	Rate	Face Value
Westpac	AA-	A-1+	11-Jan-23	0.79%	\$3,000,000
	AA-	A-1+	10-Feb-23	0.88%	\$2,000,000
			09-Jun-23	0.90%	\$1,000,000
			10-Nov-23	1.11%	\$1,000,000
Grand Total					\$7,000,000

Table 5 – Summary of Council's Investment Portfolio in Terms of ESG

Product Type	Face Value	% of Total
Environmental, Social and Governance (ESG)	\$7,000,000	10.4%
Other	\$60,000,000	89.6%
Grand Total	\$67,000,000	100.0%

3. Compliance to Investment Policy

Tables 6 to 7 below summarise Council's exposure limits to the credit ratings bands, term to maturity parameters and compliance with Council's Investment Policy.

Table 6 – Exposure Limits to credit ratings bands

Long-Term Credit Rating	Exposure of Entire Portfolio		
	Actual	Maximum	Compliant
AAA to AA- or Major Bank and below	88.9%	100%	Yes
A+ to A- and below	0.0%	50%	Yes
BBB+ to BBB and below	9.8%	40%	Yes
BBB- and below	0.0%	10%	Yes
NSWTCorp Funds	1.3%	20%	Yes

Table 7 – Term to Maturity

Long-Term Credit Rating	Term to Maturity	
	Maximum	Compliant
AA+, AA, AA- (and Major Banks)	5 years	Yes
A+, A, A-	3 years	Yes
BBB+, BBB, BBB-	3 years	Yes
Non-rated ADIs	1 year	Yes

4. Portfolio Return

Council's investment portfolio (excluding At Call Deposits and NSWTCorp Managed Funds) provided a weighted average return (running yield) as shown in Table 8 below.

Table 8 – Portfolio Return

31 July 2022	Weighted Average Monthly Return
Hawkesbury City Council – Investment Portfolio	0.124%
Benchmark – Bloomberg Ausbond Bank Bill Index	0.123%
Performance Relative to Benchmark	0.001%

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

Based on Council's Investment Advisor, Amicus Advisory Pty Ltd's advice, the running yield is the most appropriate for Council's portfolio. The rationale for this conclusion is that if all investments are purchased at par and mature at par, then the return over the holding period of that investment is simply the running yield.

Relevant Legislation

According to Clause 212 of the Local Government (General) Regulation 2021, the Responsible Accounting Officer must provide the Council with a written report setting out details of all money that the Council has invested under Section 625 of the Local Government Act 1993. The report must include a certificate as to whether investments have been made in accordance with the Act, the Regulation, and the Council's Investment Policy.

Investment Certification

The Responsible Accounting Officer hereby certifies that the investments listed in this report have been made in accordance with Section 625 of the Local Government Act 1993, Clause 212 of the Local Government (General) Regulation 2021 and Council's Investment Policy.

DISCUSSION

Council's investments and returns achieved are driven and impacted by economic and market conditions. Council's Investment Advisor, Amicus Advisory Pty Ltd has reviewed Council's investments as at 31 July 2022 and has advised as follows:

- *Council's investment portfolio annual return is around 51bps above the Bank Bill index. This return excludes at Call Accounts and NSW TCorp Managed Fund. However as explained in recent Amicus reports under the "News of Interest" section, the benchmark index is of shorter duration than the portfolio and therefore responds (rises) more quickly in a rising interest rate environment. It also contains a large negative mark to market which will unwind in the coming months. While absolute investment portfolio performance has risen as per the chart in the "Portfolio Return" section above, performance relative to the benchmark has fallen and we expect both of these trends to continue in coming months.*
- *In July 2022, Council has adopted the Draft Investment Policy, which increased the Individual Counterparty Limit to 50% from 40% for the Major Banks.*
- *Council's exposure to Bank of Queensland (BoQ) of around 9.84% of total portfolio is just under the 10% limit. Amicus therefore recommends Council to reinvest maturing BoQ TDs with other ADIs for diversification purposes.*
- *Overall, exposures to individual entities and to credit limits have been well managed. Amicus generally recommends its clients operate with "buffers" between policy limit maximums and minimums to provide flexibility and avoid breaches.*
- *Progress has been made in investing in ESG investments as part of the overall portfolio. However, to increase current levels, Council will need to aggressively pursue opportunities when they arise as Westpac has now reduced the rates on Westpac "Green" Term Deposits relative to "Non-Green" TDs and so this opportunity may be limited going forward.*
- *In the current investment environment, Amicus suggests Council pursues the following investment strategies with regards to any excess liquidity:*
 - *Invest in a major bank or other highly rated FRN at the next available opportunity so long as the credit margin is above 100bps. The rationale being:*

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

- *FRN's are currently offering better value than Term Deposits*
- *It is part of the overall agreed investment strategy to invest in Term Deposits when they offer better value than FRN's and vice versa, but in practice this policy cannot be implemented until Council is willing to invest in FRN's*
- *New issue FRN's offer the best value but the timeframes for making an investment decision are around one half day (or one full day at most) and so Hawkesbury needs to have the internal processes in place to respond within these timeframes.*
- *Usually once a Council has purchased its first FRN, the subsequent purchases are much easier because everyone involved in the process within Council is far more familiar and comfortable with the process, but this level of familiarity and comfort cannot be gained until the first purchase is made*
- *While this is a short term objective it is of longer term strategic value effectively opening up this area of the market for ongoing investments for Council to be accessed when FRN's offer better value than Term Deposits*
- *Invest in the best Term Deposit rates available within the capacity of Policy limits.*
- *Take limited exposures to issuers outside the Major Banks in short-dated Term Deposits if rates are attractive. No more \$4 million of the total portfolio per entity is recommended based on the assumption the portfolio size will not fall below \$40 million and cause a breach of the 10% limit, i.e. \$4 million / \$75 million = 5.3% (current portfolio size), \$4 million / \$39 million = 10.3%. This is a very low risk strategy given the steps taken by the Reserve Bank of Australia to ensure no Authorised Deposit Taking Institutions will fail due to liquidity reasons in the short-term.*
- *Consider investing in longer dated fixed rate investments. While interest rates may rise, taking a limited exposure to longer dated fixed rate investments to enhance current portfolio is prudent so long as these investments are with high quality institutions (Major Banks and other ADI's rated "A" or above).*
- *Consider investing in Bonds and Floating Rate Notes where the yields and risks are attractive relative to Term Deposits. The relative value of these two instruments varies with market conditions and there are commonly periods where one is more attractive than the other and vice versa. Currently FRNs are offering the more attractive margins.*
- *In the current environment, there are larger opportunity costs for not extending the maturity profile of the portfolio. Positively, Council has managed its cash balances very well (relative to peers) and has a relatively low cash balance, but as shorter dated investments mature the potential rewards for re-investing the monies as per the strategies recommended above have increased.*

Restriction of Funds

At the time of preparing the report, finalised Reserves balances were not available as year-end accounting adjustments were still in progress. This also applies to the funds restricted for the purposes of the Western Parkland City Liveability Program and State and Federal Government grants for fire and flood.

The Investment Report – August 2022 will provide an overview of restricted funds.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

COMMUNITY ENGAGEMENT

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

The proposal is consistent with the following Long-Term Community Objective set out within the CSP.

Reliable Council

4.3 Build strong financial sustainability for now and future generations.

FINANCIAL IMPACT

The matters raised in this report have direct financial implications. The income applicable was provided for in the Adopted 2022/2023 Operational Plan.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

Item: 160 **CS - Pecuniary Interest Returns - Designated Persons - (95496, 96333)**

Directorate: Support Services

PURPOSE OF THE REPORT:

The purpose of this report is to table three Disclosure of Pecuniary Interests and Other Matters Returns, which have been recently lodged by Designated Persons, as required by Clause 4.21(a) of Council's Code of Conduct. The Returns have been made by the Independent Chairperson and two Independent Members of Council's Audit, Risk and Improvement Committee.

EXECUTIVE SUMMARY:

Councillors and persons identified as Designated Persons under Council's Code of Conduct are required to complete a Pecuniary Interest Return form identifying any pecuniary and other types of interests that they hold as at their date of commencement with Council.

Designated Persons include members of Council's Audit, Risk and Improvement Committee.

Three Returns have recently been lodged with the General Manager, and are now tabled at the first Council meeting held after the required lodgement date.

RECOMMENDATION

That the Clause 4.21(a) Pecuniary Interest Returns be received and noted.

BACKGROUND

Councillors and other members of Council staff who hold a position involving the exercise of functions that, in their exercise, could give rise to a conflict between the person's duty as a member of staff and the person's private interest, are identified by Council as a "Designated Person", as defined by Clause 4.8 of Council's Code of Conduct (the Code).

Designated Persons also include a person who is a member of Council's Audit, Risk and Improvement Committee.

Following amendments made to the Local Government Act 1993 all NSW Council's were required to establish Audit, Risk and Improvement Committees by 4 June 2022.

Following an expression of interest process, Council at its meeting on 10 May 2022 Council resolved to appoint the following members to Council's Audit, Risk and Improvement Committee until the end of the current Council term in September 2024:

Independent Chair: Michael Quirk
Independent Member: Rhonda Wheatley
Independent Member: Rachel Harris

Designated Persons who are members of the Audit, Risk and Improvement Committee are required by Clause 4.21(a) of the Code to complete a Return form identifying any pecuniary and other types of interests that they hold as at their date of appointment

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

The Return form must be lodged with the General Manager within three months of the Designated Person's date of commencement with Council (or within three months of the position being designated) and must be tabled at the first Council meeting held after the required lodgement date.

The appointments of members to the Audit, Risk and Improvement Committee were confirmed in writing on 20 May 2022.

Policy considerations

Section 440AAB of the Local Government Act 1993, relates to the register of Pecuniary Interest Returns made by Councillors and Designated Persons, and the tabling of these Returns:

"440AAB Register and tabling of returns

- (1) *The general manager must keep a register of returns disclosing interests that are required to be lodged with the general manager under a code of conduct.*
- (2) *Returns required to be lodged with the general manager must be tabled at a meeting of the council, being the first meeting held after the last day specified by the code for lodgement, or if the code does not specify a day, as soon as practicable after the return is lodged."*

In accordance with Section 440AAB(1) of the Act and Clause 4.24 of the Code, a register of all Returns lodged by Councillors and Designated Persons, in accordance with Clause 4.21 of the Code, is currently kept by Council, as required by this part of the Act and the Code.

In accordance with Section 440AAB(2) of the Act and Clause 4.25 of the Code, all Returns lodged by Councillors and Designated Persons under Clause 4.21(a) of the Code, must be tabled at the first Council meeting held after the required lodgement date. Council's schedule of ordinary meetings adopted on 15 March 2022, contained an ordinary Council meeting scheduled for 13 September 2022, being the first meeting after the last day for the lodgement of the subject returns.

DISCUSSION

With regard to Section 440AAB(2) of the Act and Clause 25 of the Code, the following Clause 4.21(a) Returns have been lodged:

Position	Return Date	Date Lodged
Independent Chair, Audit, Risk and Improvement Committee	10 May 2022	29 June 2022
Independent Member, Audit, Risk and Improvement Committee	10 May 2022	23 June 2022
Independent Member, Audit, Risk and Improvement Committee	10 May 2022	18 August 2022

The above details are now tabled in accordance with Section 440AAB(2) of the Act and Clause 4.25 of the Code, and the abovementioned Returns are available for inspection, if requested.

COMMUNITY ENGAGEMENT

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy.

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

The proposal is consistent with the following Long-Term Community Objectives set out within the CSP.

Reliable Council

4.1 Provide representative, responsive and accountable governance.

FINANCIAL IMPACT

There are no financial implications applicable to this report.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

Item: 161 **CS - Proposed Road Dedication and Road Closure - Bismark Street, McGraths Hill - (95496, 112106)**

Previous Item: Ordinary, 110 (14 June 2022)

Directorate: Corporate Services

PURPOSE OF THE REPORT:

The purpose of this report is to advise Council of the outcome of the public exhibition of the proposed road dedication of Bismark Street, McGraths Hill and to seek Council's endorsement to formalise the road status via Government notification under Sections 16 and 17 of the Roads Act 1993. After which Council would undertake to complete the road closure process, to allow the land to be included in Colbee Park.

EXECUTIVE SUMMARY:

During the development of Colbee Park's Masterplan the status of Bismark Street was investigated. Advice was sought from Council's Solicitor, Pikes and Verekers Lawyers. Pikes and Verekers Lawyers has recommended that Council dedicate the road via Council resolution and Gazettal then proceed to complete the road closure process with the Certificate of Title vesting in Council's name. This will allow Bismark Street to be included as land within Colbee Park and not a road which structures cannot be erected upon, which could affect the future development of Colbee Park. This report advises that no submissions were received during the public exhibition of the proposed road dedication and deals with the formal dedication and proposed closure of Bismark Street.

RECOMMENDATION:

That:

1. Council approve the dedication of Bismark Street, McGraths Hill as shown in Attachment 1 to this report, as a public road, and action be taken to dedicate the road by placement of a notice in the NSW Government Gazette, in accordance with Section 16 of the Roads Act, 1993.
 2. After the publication of the Dedication Notice as outlined in Part 1, Council publicly exhibit and notify adjoining owners of the proposed road closure of an area of approximately 6,850m² within Colbee Park, McGraths Hill as shown in the location plan attached as Attachment 1, to this report.
 3. At the expiration of the public exhibition period outlined in Part 2, the following action be taken:
 - a) Should any submissions be received regarding the proposed road closure a further report be submitted to Council, or
 - b) Should no submissions be received:
 - i. Council approve the road closure as shown in Attachment 1 to this report, being part of the closed portion of the road reserve within Colbee Park, McGraths Hill.
 - ii. Authority be given for the Road Closure Plan, and any documentation in association with the matter to be executed under the Seal of Council.
-

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

BACKGROUND

Council staff during the master planning of Colbee Park queried the status of Bismark Street, McGraths Hill, that runs through the Park. An investigation of Council's Corporate Geographical Information System showed the land as a road reserve but did not show any reference or notation of the road ever being resumed or dedicated. Attachment 1 to this report shows the location of Bismark Street from Council's Geographical Information System mapping system. Attachment 2 to this report provides an aerial map of the location. On both maps the road reserve is shown in red, with the land comprising Colbee Park outlined in blue.

Council at its meeting on 14 June 2022 considered a report to publicly exhibit the proposed dedication of Bismark Street, McGraths Hill. Council resolved as follows:

"That:

- 1. Council publicly exhibit the proposed dedication of Bismark Street, McGraths Hill as public road, as shown in the location plan attached as Attachment 1, to this report, in accordance with Section 17(1) of the Roads Act, 1993.*
- 2. A further report be prepared for Council to consider the outcome of the public exhibition for the dedication and if approved, seek Council's approval to proceed with the proposed closure of Bismark Street, McGraths Hill."*

The proposed road dedication was publicly exhibited between 4 July and 1 August 2022. Letters were sent to 43 neighbouring properties, a sign placed on the fence at the entrance of Colbee Park and information placed on Your Hawkesbury Your Say.

During the public exhibition period no submissions were received. The notification on Council's Your Hawkesbury Your Say page was viewed 11 times with the plans being downloaded by two people. One neighbouring property owner called staff with queries about the process and whether any private land would be purchased for the Colbee Park Masterplan work, which they were advised no acquisitions are being undertaken for this project.

Given the above and pursuant to Sections 16 and 17 of the Roads Act 1993, it is proposed that Council dedicate the land known as Bismark Street, McGraths Hill as "Public Road" and publish a notice in the NSW Government Gazette. The proposed dedication would also allow Council to then proceed with the road closure process and include the land within Colbee Park for use in accordance with the Masterplan and Plan of Management.

Road Closure

After Council completes the road dedication process, the road closure process can be undertaken.

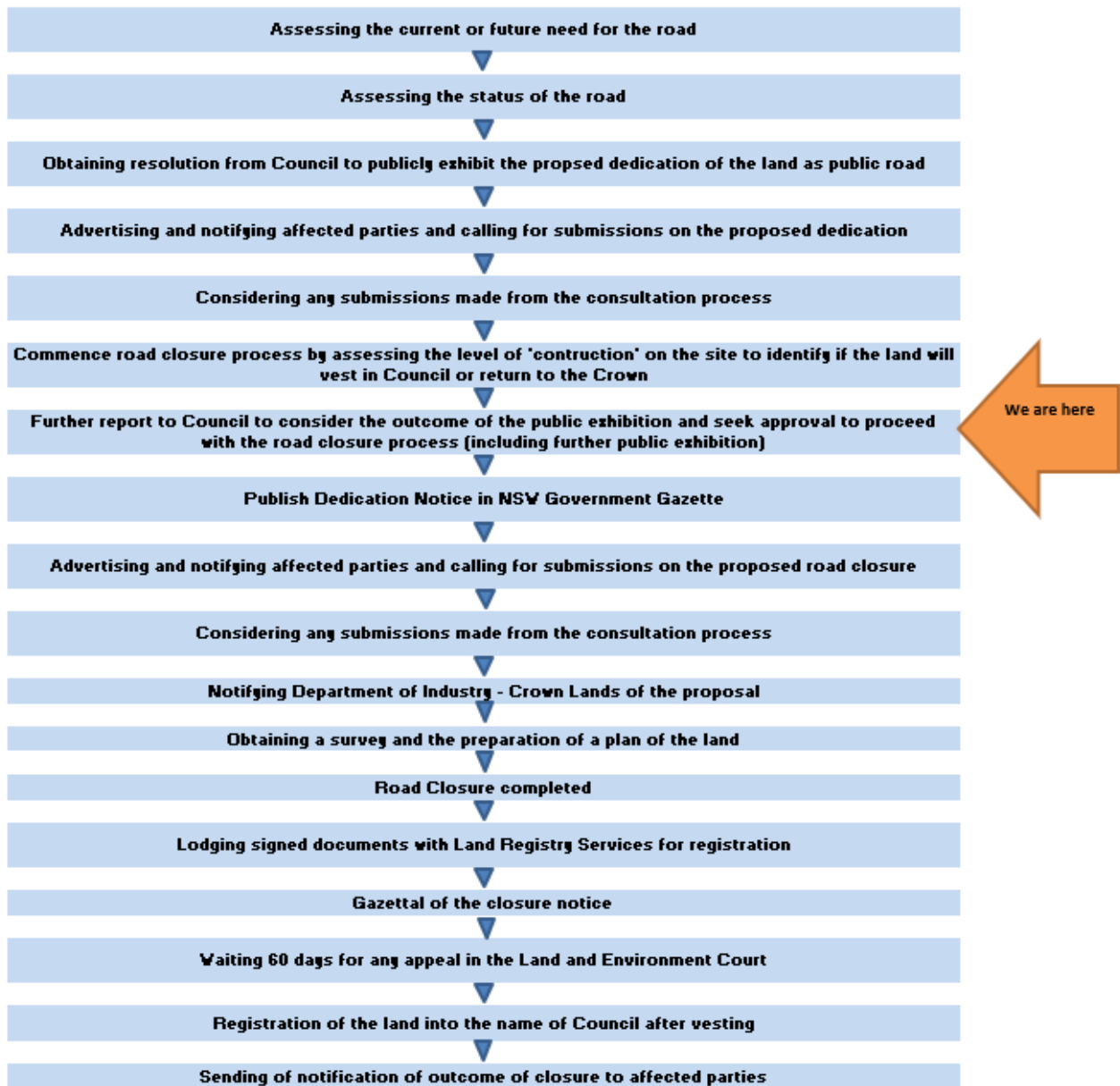
From 1 July 2018, changes to Part 4, Division 3 of the Roads Act 1993 mean that councils now have the power to close council public roads.

Section 38A of the Act provides that a council may propose the closure of a council public road for which it is the roads authority if:

1. The road is not reasonably required as a road for public use (whether for present or future needs), and
2. The road is not required to provide continuity for an existing road network, and
3. If the road provides a means of vehicular access to particular land, another public road provides lawful and reasonably practicable vehicular access to that land.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

The procedure for dedicating and closing a road is set out below:



Road Status and Construction Declaration

There are two areas which require examination with regard to road status, dedication and construction.

Dedication

The road closure process will not be undertaken until Bismark Street has been gazetted as a public road.

Accordingly, the road status outcome is that the subject road will be a public road vested in Council after the Dedication Notice is published in the NSW Government Gazette.

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

Construction

Only constructed Council public roads remain owned by Council after closure. Unconstructed Council public roads become owned by the Crown upon closure (Section 38E(2) of the Act). Despite the road not being formed, as Council has undertaken maintenance the road would vest with Council.

The dictionary of the Act does not define 'construction' in terms of Section 38E(2) of the Act. The Acts definition for 'road work' includes any kind of work on or in the vicinity to facilitate use of the road as a road. The term construction is also used in the Act in reference to construction of conduits on public roads for utility services.

The subject portion of public road does not contain any utility services. The road has not been used as a public road. Council has undertaken maintenance and repairs to the road reserve area within Colbee Park.

To progress the matter further, a resolution of Council is required to formally dedicate Bismark Street, McGraths Hill as a public road and then proceed with the road closure. Once Council endorses the road closure, consultation will be carried out in accordance with the Act which includes inviting submissions from neighbouring owners, the public and prescribed authorities. If any submissions are received the matter will be reported back to Council for further consideration.

If no submissions are made the proposal will be submitted to the relevant Government Departments , including Department of Industry – Crown Lands for comment and approval to proceed with the proposed road closure.

The two lots comprising Colbee Park are classified as 'community' land under Section 26 of the Local Government Act, 1993. If the road closure is completed and a certificate of title issued, it is envisaged that the former road reserve would be classified as 'community' land, under Section 31 (2A) of the Act. If Council does not resolve to classify the land within three months, it is taken to be classified as 'community' land.

Proceeding with the proposed road dedication and closure would allow for improved safety in Colbee Park, as a public road would not run through the Park, allowing children and families to utilise the Park without navigating vehicular access along the road in the middle of the Park. Attachment 3 to this report is an excerpt from the Masterplan, and it shows that the car park would be located at the top of Colbee Park with Bismark Street turned into a central park area where visitors can walk freely. An access driveway would remain for emergency uses only.

COMMUNITY ENGAGEMENT

The issues raised in this report concern matters which constitute a trigger for Community Engagement under Council's Community Engagement Policy.

Section 38B of the Roads Act 1993, requires consultation to be carried out in order for Council to close a council public road. The consultation must notify the public of the proposal and call for submissions. In accordance with the Act, the following will be contacted:

- Newspaper advertisement
- Direct mailing to adjoining land owners
- Notification to prescribed authorities
- Notification to Department of Crown Lands

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

The proposal is consistent with the following Long-Term Community Objectives set out within the CSP.

Great Place to Live

- 1.2 Encourage and enable our community to participate in a healthy lifestyle.
- 1.4 Facilitate the delivery of infrastructure through relevant agencies for Council's own works.
- 1.5 Provide the right places and spaces to serve our community.
- 1.6 Build on a sense of community and wellbeing.

Reliable Council

- 4.2 Encourage an informed community.
- 4.8 Facilitate the delivery of infrastructure through relevant agencies and Council's own works.

FINANCIAL IMPACT

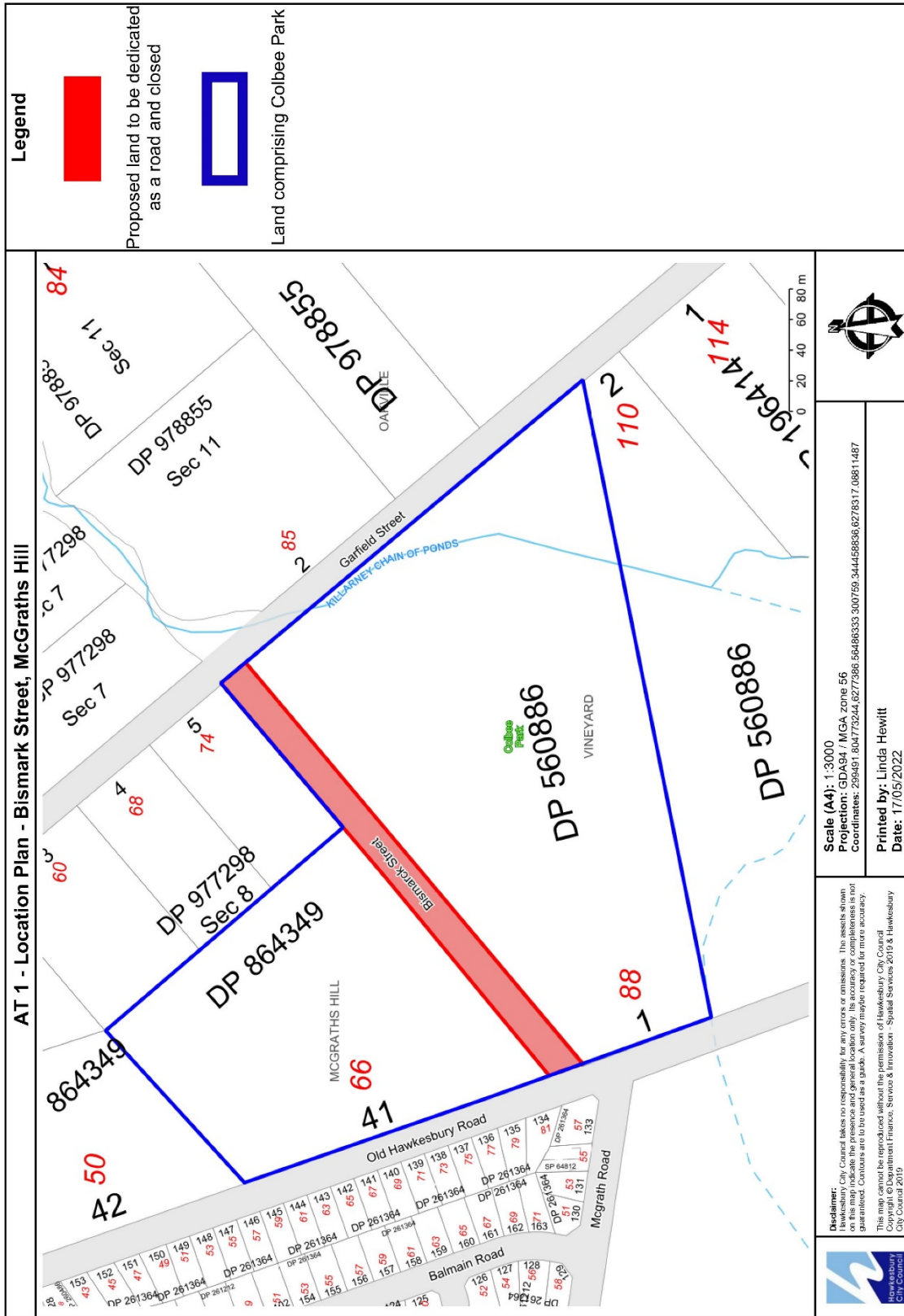
The expenditure applicable in regard to this matter will be funded from the Colbee Park Masterplan project.

ATTACHMENTS:

- AT - 1** Location Plan – Bismark Street, McGraths Hill.
- AT - 2** Aerial Map – Bismark Street, McGraths Hill.
- AT - 3** Masterplan – Colbee Park.

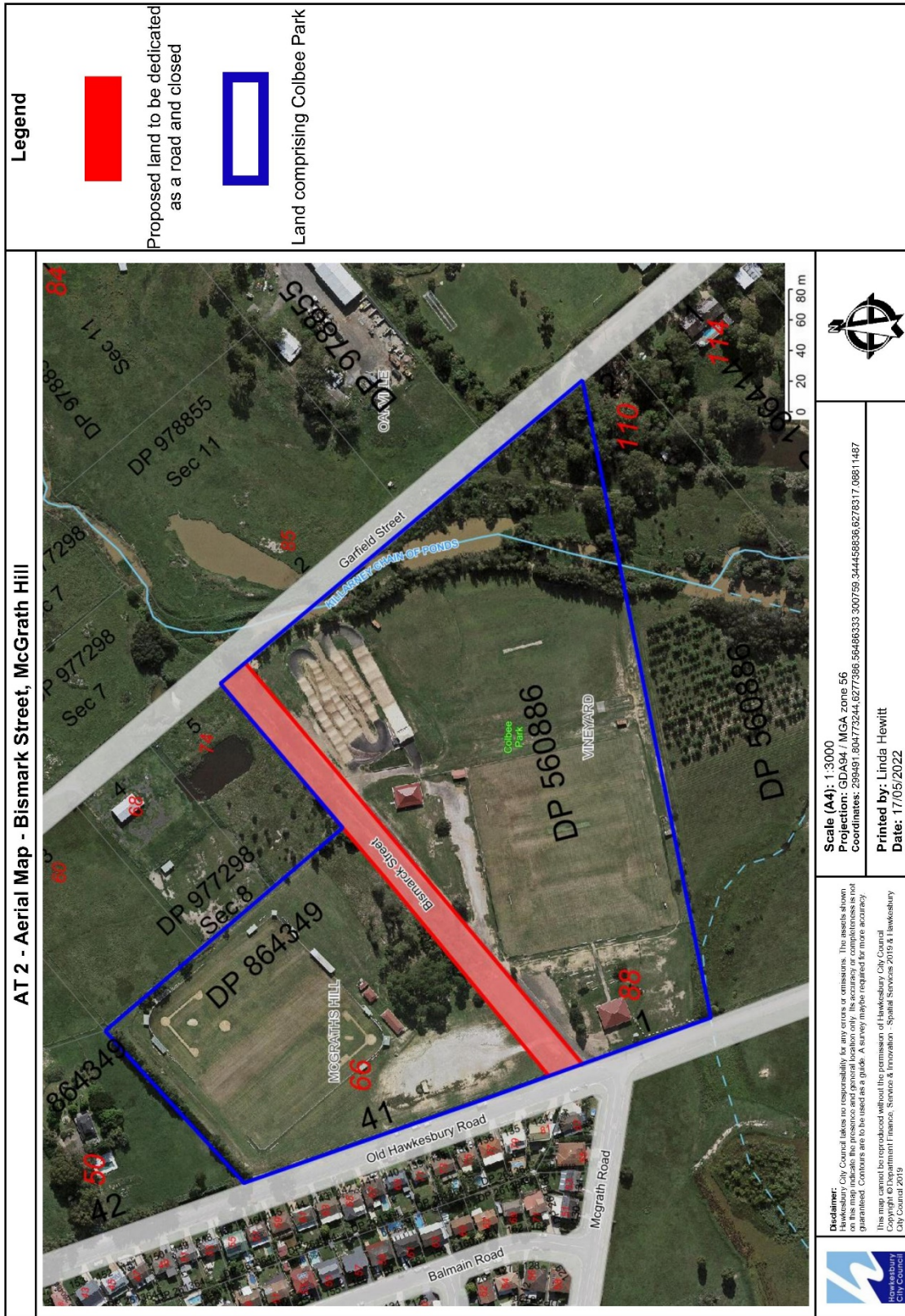
ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

AT - 1 Location Plan – Bismark Street, McGraths Hill



ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

AT - 2 Aerial Map – Bismark Street, McGraths Hill



ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

AT - 3 Masterplan – Colbee Park



Masterplan

oooO END OF REPORT Oooo

04 | Masterplan
Masterplan Report 12.07.2021
Taylor Brammer Landscape Architects + Parkland Planners **43**

Colbee Park, McGraths Hill

ORDINARY MEETING
SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

Item: 162 **CS - Relocation of Stormwater Discharge - 295 Sackville Road, Wilberforce - (95496, 31583, 140668)**

Directorate: Corporate Services

PURPOSE OF THE REPORT:

The purpose of this report is to consider the relocation of existing stormwater discharge point within 295 Sackville Road, Wilberforce.

EXECUTIVE SUMMARY:

Council is the owner of land known as 295 Sackville Road, Wilberforce where an existing stormwater system is located.

In order for the property known as 8 Ti-Tree Place, Wilberforce, which adjoins 295 Sackville Road, Wilberforce, to receive Development Approval for the proposed development of a LPG tank, six silos and weighbridge, the owners have requested that the point of discharge for stormwater be relocated to drain within Council's property known as 295 Sackville Road, Wilberforce.

An agreement on the location of the point of stormwater discharge has been reached and this report recommends that Council authorise the creation of a point of discharge that is 2.5m wide on the boundary of 295 Sackville Road, Wilberforce and 8 Ti-Tree Place, Wilberforce.

RECOMMENDATION:

That:

1. Council approve the relocation of existing stormwater discharge point into 295 Sackville Road, Wilberforce (Lot 252 DP 1004592) as shown in Attachment 1 to this report, and as detailed in this report.
 2. Authority be given for any documentation in association with this matter to be executed under the Seal of Council.
 3. Details of the resolution be conveyed to the applicant together with the advice that Council is not and will not be bound by the terms of its resolution until such time as appropriate documentation to put such resolution into effect has been agreed to and executed by all parties.
-

BACKGROUND:

Council owns the land at 295 Sackville Road, Wilberforce, legally described as Lot 252 DP 1004592. The property is classified as 'operational' under the Local Government Act, 1993.

Council received a letter from Urban City Planning on behalf of Hypro Australia requesting a proposed stormwater discharge point be created, and the release of an existing stormwater discharge point on the boundary of Council owned property known as 295 Sackville Road, Wilberforce.

There is an existing stormwater easement located on 295 Sackville Road, Wilberforce, shown in yellow on Attachment 1 to this report. The applicant has an existing discharge point 2.5m wide into the easement on Council's land. Attachment 1 to this report shows the location of the existing discharge point and the proposed new discharge point.

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

As part of a Development Application lodged in 2019 for property known as 8 Ti-Tree Place, Wilberforce, seeking approval for a LPG tank, six silos and weighbridge, Council's City Planning Department has requested that to allow for the development consent to be granted the existing stormwater easement would need to be relocated located from 8 Ti-Tree Place, Wilberforce, shown in pink on Attachment 1 to this report and a creation of a new easement to be located on adjoining properties 12 and 14 Box Avenue, Wilberforce, shown in green on Attachment 1 to this report.

The applicant has paid Council a bond of \$11,805, which is to cover the cost of legal fees, survey, and valuation fees and therefore no costs will be incurred by Council for the relocation of stormwater discharge.

Council's Panel Valuers, Preston Rowe Patterson were then instructed to determine the amount of compensation payable to Council for the relocation of the proposed point of discharge having regard to area, impact, and location. The valuation was obtained which indicated that no compensation would be payable. This is due to it being a relocation of an existing point of discharge and no additional impact on Council owned property known as 295 Sackville Road, Wilberforce.

Given the Valuers advice it is considered appropriate that Council approve the relocation of the easement and discharge point without compensation being payable to Council. The applicant would be responsible for the application fee and legal, valuation and surveyor costs.

COMMUNITY ENGAGEMENT

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

The proposal is consistent with the following Long-Term Community Objectives set out within the CSP.

Reliable Council

4.8 Facilitate the delivery of infrastructure through relevant agencies and Council's own works.

FINANCIAL IMPACT

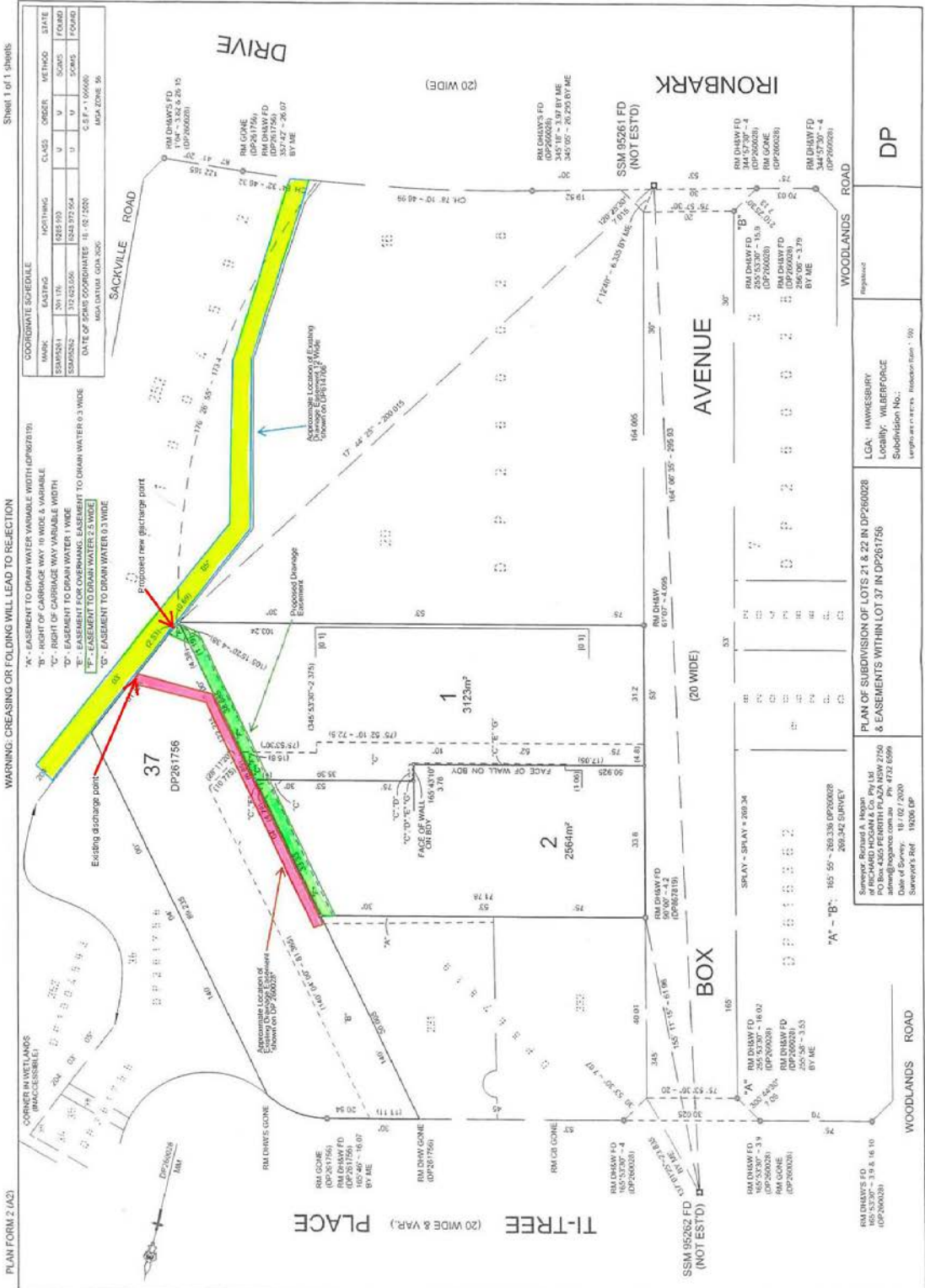
There are no financial implications applicable to this report as the applicant has paid a bond to cover all costs incurred.

ATTACHMENTS:

AT - 1 Easement Location Plan.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

AT - 1 Easement Location Plan



oooO END OF REPORT Oooo

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

INFRASTRUCTURE SERVICES

Item: 163 **IS - Richmond Lowlands Drainage Works - (95495)**

Directorate: Infrastructure Services

PURPOSE OF THE REPORT:

The purpose of this report is to seek Council's agreement to undertake important drainage maintenance works on private property, at nil cost to the landowners, pursuant to Section 67 of the Local Government Act.

EXECUTIVE SUMMARY:

This report considers Council undertaking works necessary to clear blockages from a floodplain drain located on private property within, or in close proximity to 604 Cornwallis Road, Cornwallis, which have occurred as a result of the recent flood events, and are likely to cause considerable damage to various landholders upstream of the failure location.

Prior to undertaking the works, which are estimated to be \$8,000 and proposed to be funded from the NSW Government's Local Government Recovery Grant Program, it is a requirement of the Local Government Act 1993, that Council determines to undertake the works for a fee which is below that adopted in the Council's fees and charges. In this case, it is proposed that Council fully funds the works, as the proponent of the project. For reference, the adopted fee would ordinarily be calculated on the basis of full cost recovery.

The detection of this failure, the planning pathway and other considerations, have been informed by the ongoing work by Council's floodplain consultants, Molino Stewart, who are presently finalising a report into the operation and management considerations of the network of drains, channels, creeks and associated infrastructure which serve to enhance the flood resilience of the Hawkesbury River Floodplain.

Although it is not Council's responsibility to address the bank failures on the drain, there is a broader public benefit to Council undertaking this work on this occasion.

RECOMMENDATION:

That, pursuant to Section 67(2)(b) of the Local Government Act, 1993, Council undertake the localised repair of the Richmond Lowlands drain, as defined in the report, at nil cost to the landowner(s).

BACKGROUND

The Richmond and Cornwallis Lowlands are serviced by a network of natural, enhanced and artificial drains and associated infrastructure, which serve to enhance the resilience of the region against the impacts of flooding. Collectively, these are referred to as the Lowlands Drainage Scheme (the Scheme). Relevant to this report, the drain in question consists of a range of connected drainage lines in private ownership. The floodgates present, and identified in Figure 1, are Council's assets.

Following the flood events of February 2020, March 2021 and March 2022, it had become apparent that the extended flood-free period between February 1992 and February 2020 had ultimately led to a loss of knowledge and understanding of how the Scheme operates.

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

Further, these Flood events, and the subsequent events in April 2022 and July 2022, caused or contributed to various failures within the Scheme, with a notable failure within, or in close proximity to, 604 Cornwallis Road, Cornwallis (Lot 1 in DP529382).

Given the uncertainty surrounding the operation, tenure, status and approval pathway for works on the various networks of drains and flood mitigation structures, Council utilised, in part, the NSW Government's Local Government Recovery Grant Program to fund a study into the broader Hawkesbury River floodplain between approximately Agnes Banks and Wilberforce. This Study remains in progress, but an interim draft report was requested to guide the response to the failure at 604 Cornwallis Road, Cornwallis.

The purpose of this report is to inform Council of the works proposed to address the bank failures impacting the drain and seek the agreement of Council to undertake the repair works at nil cost to the landowner(s). The broader operation and considerations of the drains on the floodplain are beyond the scope of this report.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

Location Plan

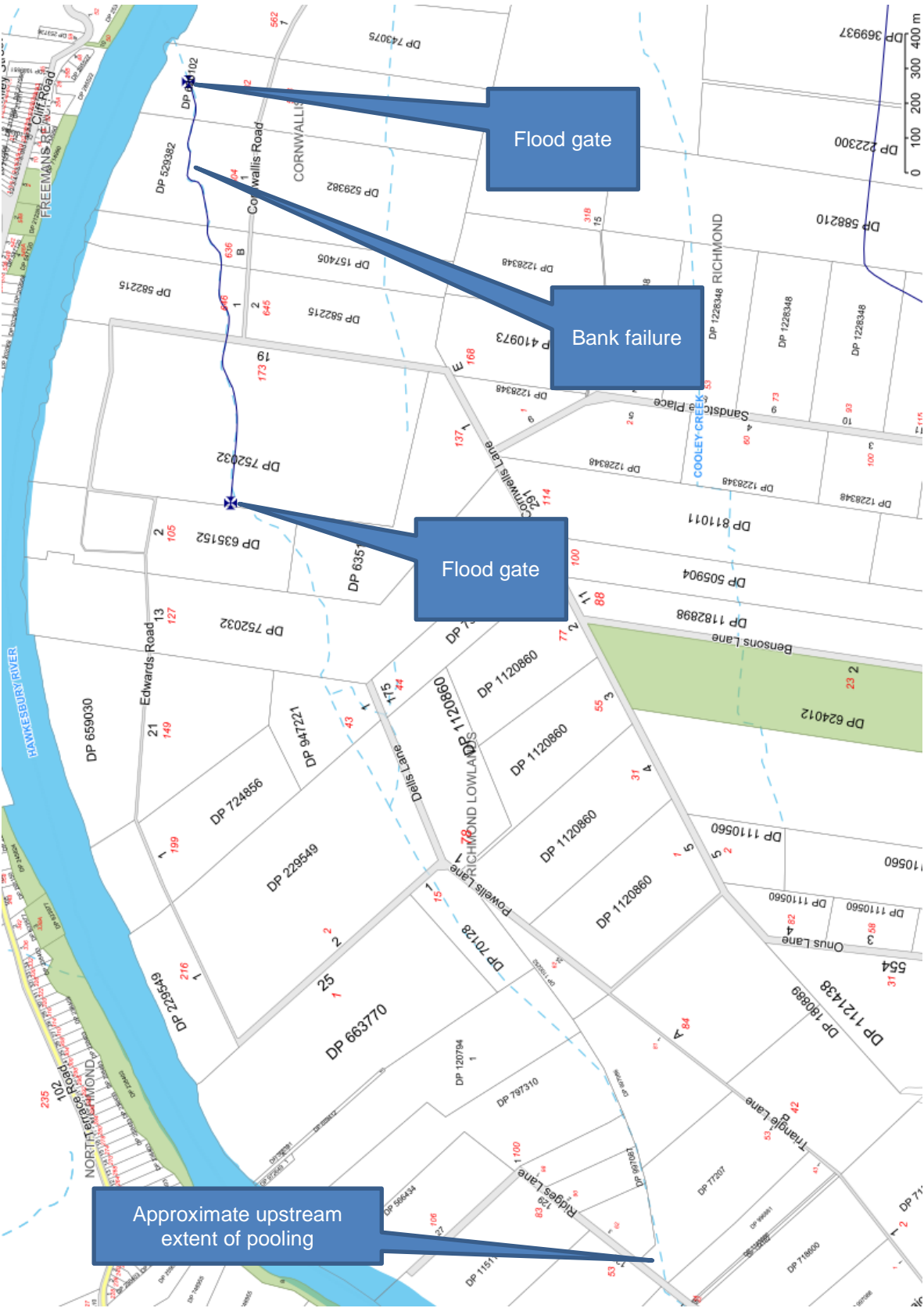


Figure 11 Site Plan - extent of pooling

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

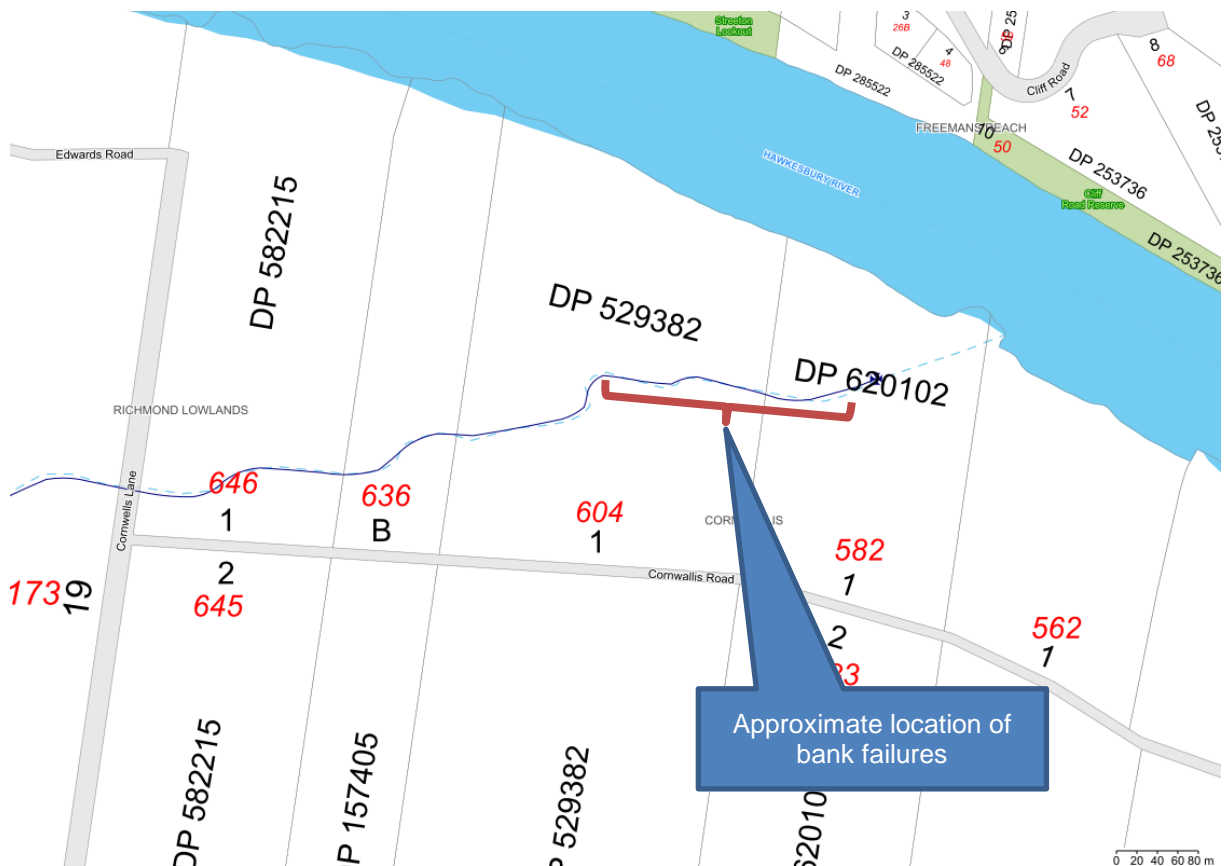


Figure 12 Location of bank failures

Relevant Legislation

Section 67, Local Government Act, 1993:

67 Private works

- (1) A council may, by agreement with the owner or occupier of any private land, carry out on the land any kind of work that may lawfully be carried out on the land.
- (2) A council must not carry out work under this section unless—
 - a. it proposes to charge an approved fee for carrying out the work as determined by the council in accordance with Division 2 of Part 10 of Chapter 15, or
 - b. if it proposes to charge an amount less than the approved fee, the decision to carry out the work is made, and the proposed fee to be charged is determined, by resolution of the council at an open meeting before the work is carried out.

DISCUSSION

The bank failures, as indicated in Figure 2, were identified by Council’s floodplain consultants, Molino Stewart, as part of their field work to gather data and observations for the study commissioned by Council into the operation of the floodplain.

The bank failures on the drain, located primarily within and in proximity to 604 Cornwallis Road, Cornwallis and consisting of areas of slumped bank up to 3m high and 10-15m long, are resulting in a constriction of the flow through the drain, which in turn is contributing to significant pooling of water across private and public land, for a length of approximately 3km upstream, indicated in Figure 1. This pooling of water has been present since the March 2022 flood event and remains following the July flood event.

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

It is important to note that while this failure can be reliably determined to be the cause of the pooling of water, there may exist latent constrictions which can only be detected once this constriction has been addressed.

The pooling water variously impacts on the recovery of landholders, contributing to loss of trees, turf, productive land access and is preventing some landowners from completing, or in some cases commencing, their post-flood clean-up. Accordingly, it is not the owner of the land through which the drain runs which benefits from the blockage being removed, there is a broader public benefit to addressing this bank failure.

Recognising this, Council officers allocated part of the grant funding from the NSW Government's Local Government Recovery Grant Program, both to fund the aforementioned Molino Stewart study, as well as physical works within applicable drains where it can be demonstrated that the works provide a broader public benefit.

These potential works may be located on private property or public land and Council is permitted to do such works, consistent with Section 67 of the Local Government Act (the Act).

Further to this however, pursuant to Section 67(2)(b) of the Act, where Council proposes to charge an amount less than the approved fee, it is required to resolve this position at an open meeting of the Council prior to the carrying out of those works. Given the broad public benefit and the nature of the grant funding, it is proposed that Council funds, from recovery grant funding, the full cost of the works required to clear the blockage on and within proximity to 604 Cornwallis Road, Cornwallis.

Additionally, as Council is the proponent, development approval can be obtained under Part 5 of the Environmental Planning and Assessment Act, 1979 and this has now been obtained.

COMMUNITY ENGAGEMENT

Council officers have undertaken direct engagement with the owners of the subject property and the broader, impacted community. Council officers will continue to liaise with affected landowners throughout the process, particularly to support them in the identification of and any action they may need to take to address any further latent constrictions.

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2024-2042

The proposal is consistent with the following Long-Term Community Objectives set out within the CSP.

Great Place to Live

- 1.1 Enable a shared responsibility for community resilience, community safety and disaster management.

FINANCIAL IMPACT

The matter considered by this report has direct financial implications. The estimated cost of the physical works to be undertaken is \$8,000 which is to be funded from Council's Local Government Recovery Grant, and therefore at nil cost to the landowner(s).

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

Item: 164 **IS - Road Naming Proposal Private Road - Right of Way/Easement for Services off Yengo Drive, Putty - (95495)**

Directorate: Infrastructure Services

PURPOSE OF THE REPORT:

The purpose of this report is to advise Council of a road naming proposal for a Private Road which is a Right of Way/Easement for Services nine metres wide in DP 786523 accessed off Yengo Drive in Putty.

EXECUTIVE SUMMARY:

An application has been received requesting that the Private Road which is a Right of Way/Easement for Services, that provides access to eight properties off Yengo Drive, Putty be named. In undertaking the road naming process, Singleton Council and the adjoining property owners have been consulted by means of a questionnaire, with the final proposed name being Myles Way.

This report recommends that Council support public advertising for the name Myles Way, associated with the Right of Way/Easement for Services for a period of 28 days to seek comments on the proposal.

RECOMMENDATION:

That Council:

1. In accordance with the requirements of the NSW Roads Act 1993, place on public exhibition the road name of Myles Way which is for a Private Road off Yengo Drive, Putty (Lots 4-11 DP 786523) for a period of 28 days.
 2. At the expiration of the public notification period outlined in Part 1 above, the following action be taken:
 - a) Should any material submissions of objection be received regarding the proposed Road Naming Proposal, a further report be submitted to Council, or
 - b) Should no material submissions of objection be received, Council adopt the Road Naming Proposal.
-

BACKGROUND

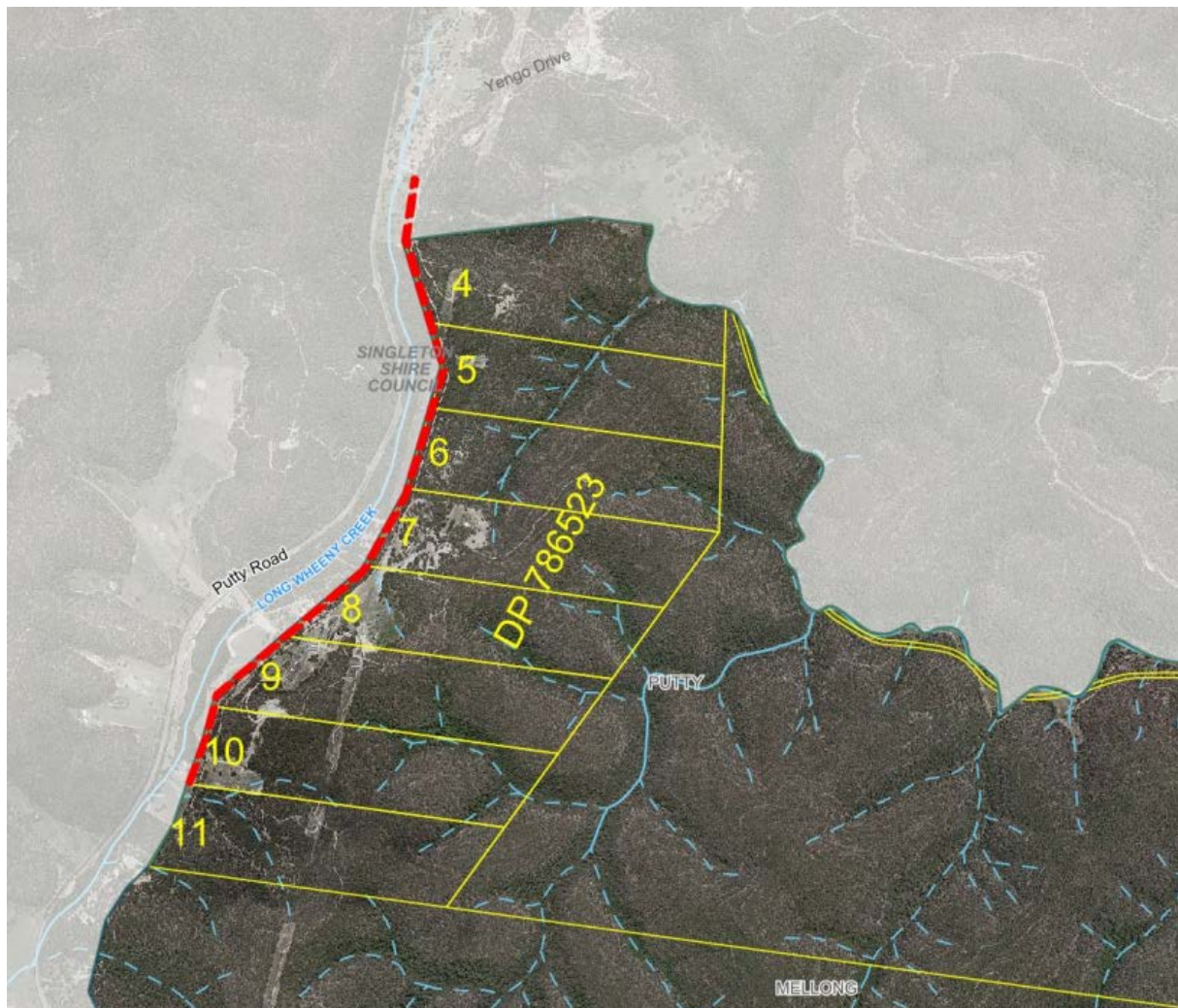
Following a request to name a Private Road which is a Right of Way/Easement for Services off Yengo Drive, the process of formally naming this access way was commenced. The naming of a right of way is clarified in Section 2.4.2 Authority for Road Naming of the NSW Address Policy and User Manual, 2021.

This private access way from Yengo Drive Putty, is navigable by vehicles and has been in use for several years by residents and visitors of Lots 4-11 DP 786523. Currently, the properties along this private access way are addressed to Yengo Drive, which is a road in the adjoining Local Government Area of Singleton Council and is not a suitable address for the Hawkesbury Local Government Area (LGA).

Consultation was sought from the local library historian to research the history of the area for appropriate road names. A questionnaire was sent on 12 May 2022 to owners and residents to outline the process as well as consult on the proposed names. The questionnaire resulted in the preferred name of Myles Way, with this name being associated with the local area during the expedition undertaken by John Howe.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

Location Plan



— — Right of Way/Easement for Services 9 wide – DP 786523

Relevant Legislation

Roads Act 1993

DISCUSSION

The NSW Address Policy and User Manual (October 2019) applies to all roads in NSW regardless of custodianship and maintenance agreements. Under this Policy and User Manual, all roads shall be authoritatively named in accordance with the principles of road naming. Road naming is legislated under the New South Wales Roads Act 1993.

Pre-approval for the use of the proposed name has been sought and provided by the Geographical Names Board of New South Wales (GNB), which takes into account evaluating the surrounding Local Government Areas as well as the Hawkesbury Local Government Area for any duplication on similarity with existing road names.

The proposed name conforms to the guidelines and principles of the New South Wales Road Naming Policy and it is recommended that public comment be sought under the requirements of the Roads Act 1993, for these names.

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

An emerging consideration is the opportunity to incorporate names which contribute to achieving the outcomes of Council's Reconciliation Action Plan (RAP), which is presently in draft form.

Council's first RAP is currently being developed jointly by a working group comprised of Aboriginal and Torres Strait Islander community members and Council staff. The draft plan includes an action to "*Review existing signage (e.g. Local Government Area entry, sites of cultural significance) and identify opportunities for new signage throughout the region*". Once the Plan is finalised and adopted, Council will work with the working group to develop a framework by which signage is reviewed and names of cultural significance, which will include road naming can be recommended.

COMMUNITY ENGAGEMENT

The issues raised in this report concern matters which constitute a trigger for Community Engagement under Council's Community Engagement Policy.

It is proposed that Council undertake the following community engagement process in compliance with Council's Community Engagement Policy, the New South Wales Roads Act 1993, the New South Wales Roads Regulation 2018 and the NSW Address Policy and User Manual. The consultation required is for a period of 28 days and involves the following:

- Advertisement on Council's web page and social media site
- Notice created on the Geographical Names Board of New South Wales road naming portal.

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

The proposal is consistent with the following Community Outcomes and Long-Term Objectives within the CSP.

Great Place to Live

- 1.4 Facilitate the delivery of infrastructure through relevant agencies for Council's own works.
- 1.7 Encourage broad and rich celebration of our local culture and significant heritage.

Protected Environment and Valued History

- 2.1 Value, protect and enhance our historic built environment as well as our relationship to Aboriginal and non-Aboriginal history.

FINANCIAL IMPACT

There are no financial implications applicable to this report.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

Item: 165 **IS - Road Naming Proposal Associated with DA0420/18 (68 to 82 Fairey Road) South Windsor - (95495)**

Directorate: Infrastructure Services

PURPOSE OF THE REPORT:

The purpose of this report is to advise Council of a road naming proposal for two public roads in South Windsor associated with the Development Application 0420/18 (66 to 82 Fairey Road).

EXECUTIVE SUMMARY:

An application has been received requesting the naming of two new roads created within the proposed subdivision plan in the industrial area of South Windsor associated with DA0420/18 (66 to 82 Fairey Road). The proposed names are Acacia and Banksia.

This report recommends that Council support public advertising for the names Acacia and Banksia associated with DA0420/18 for a period of 28 days to seek comments on the proposal.

RECOMMENDATION:

That Council:

1. In accordance with the requirements of the NSW Roads Act 1993, places on public exhibition the road names of Acacia Street and Banksia Place associated with Development Application 0420/18 (66 to 82 Fairey Road, South Windsor) for a period of 28 days.
2. At the expiration of the public notification period outlined in Part 1 above, the following action be taken:
 - a) Should any material submissions of objection be received regarding the proposed Road Naming Proposal, a further report be submitted to Council, or
 - b) Should no material submissions of objection be received, Council adopt the Road Naming Proposal.

BACKGROUND

The development is subdividing Nos 66 to 82 Fairey Road, South Windsor which comprises of Lot 2 DP 264159, Lot 1 DP 316663 and Lot 17 DP 736138. Consent for this development was granted on 11 July 2019.

The subdivision is within two planning zones of - industrial and rural. The development will create 25 lots and two new roads within the industrial zone of the development site, and one rural lot within the rural zone of the development site.

The applicant provided several names, and the only acceptable name was 'Banksia', as the other names were duplicated within the Hawkesbury Local Government Area (LGA). In line with the plant species theme nominated by the applicant, Council provided the name 'Acacia', which was suitable to the applicant and was not duplicated within the LGA.

ORDINARY MEETING
SECTION 3 – Reports for Determination
Meeting Date: 13 September 2022

Location Plan

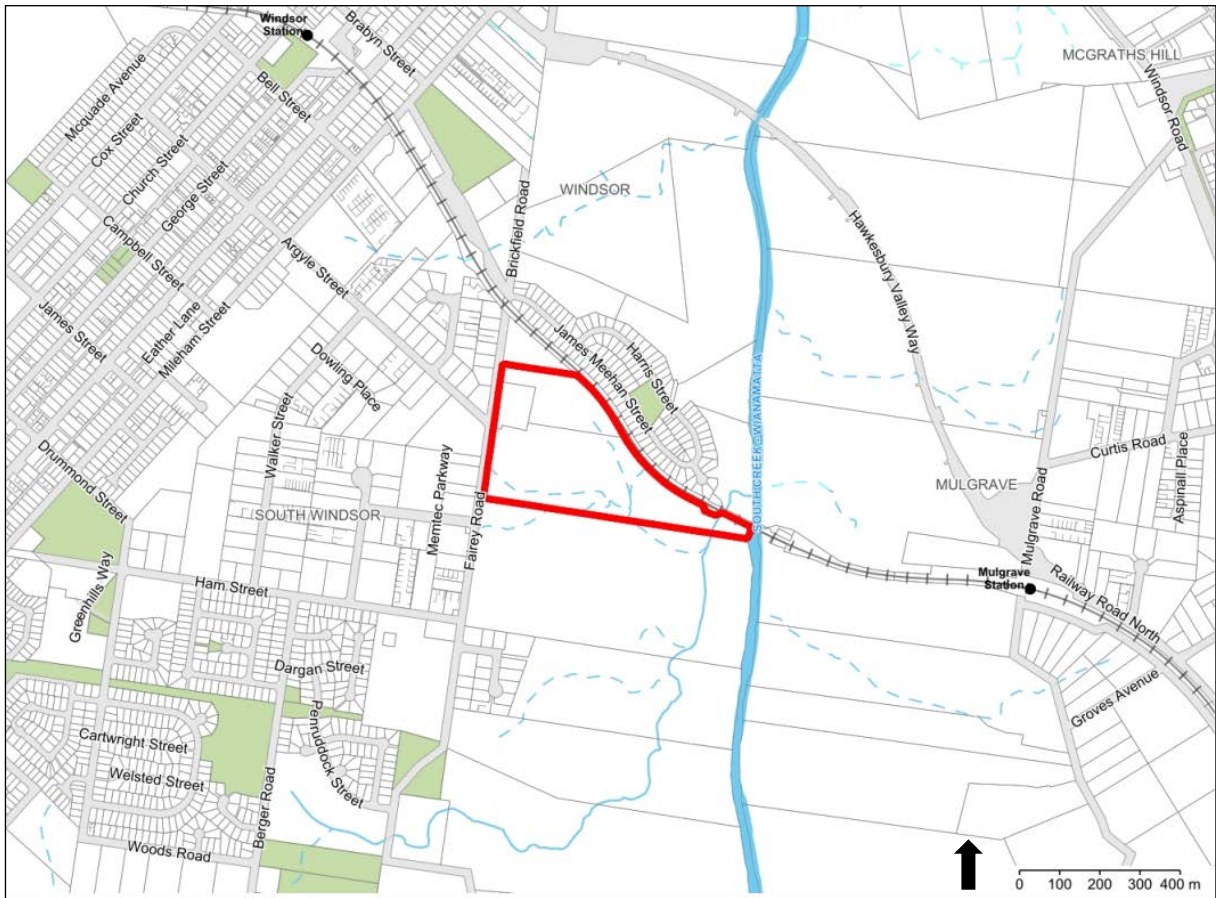


Layout Plan

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022



Locality Plan

Relevant Legislation

Roads Act 1993

DISCUSSION

The NSW Address Policy and User Manual (October 2019) applies to all roads in NSW regardless of custodianship and maintenance agreements. Under this Policy and User Manual, all roads shall be authoritatively named in accordance with the principles of road naming. Road naming is legislated under the New South Wales Roads Act 1993.

Pre-approval for the use of the two names has been sought and provided by the Geographical Names Board of New South Wales (GNB), a process which takes into account an evaluation of the surrounding Local Government Areas as well as the Hawkesbury Local Government Area for any duplication or similarity with existing road names.

The proposed names conform to the guidelines and principles of the New South Wales Road Naming Policy and it is recommended that public comment be sought under the requirements of the Roads Act 1993, for these names.

An emerging consideration is the opportunity to incorporate names which contribute to achieving the outcomes of Council’s Reconciliation Action Plan (RAP), which is presently in draft form.

Council’s first RAP is currently being developed jointly by a working group comprised of Aboriginal and Torres Strait Islander community members and Council staff. The Draft Plan includes an action to “Review

ORDINARY MEETING

SECTION 3 – Reports for Determination

Meeting Date: 13 September 2022

existing signage (e.g. Local Government Area entry, sites of cultural significance) and identify opportunities for new signage throughout the region". Once the Plan is finalised and adopted, Council will work with the working group to develop a framework by which signage is reviewed and names of cultural significance, which will include road naming can be recommended.

COMMUNITY ENGAGEMENT

The issues raised in this report concern matters which constitute a trigger for Community Engagement under Council's Community Engagement Policy.

It is proposed that Council undertake the following community engagement process in compliance with Council's Community Engagement Policy, the New South Wales Roads Act 1993, the New South Wales Roads Regulation 2018 and the NSW Address Policy and User Manual. The consultation required is a minimum of 28 days and involves the following:

- Advertisement on Council's web page and social media site
- Notice created on the Geographical Names Board of New South Wales road naming portal.

CONFORMANCE TO THE HAWKESBURY COMMUNITY STRATEGIC PLAN 2022-2042

The proposal is consistent with the following Community Outcomes and Long-Term Objectives within the CSP.

Great Place to Live

- 1.4 Facilitate the delivery of infrastructure through relevant agencies for Council's own works.
- 1.7 Encourage broad and rich celebration of our local culture and significant heritage.

Protected Environment and Valued History

- 2.1 Value, protect and enhance our historic built environment as well as our relationship to Aboriginal and non-Aboriginal history.

FINANCIAL IMPACT

There are no financial implications applicable to this report.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

Ordinary

Section **4**

Reports
of committees

ORDINARY MEETING

SECTION 4 – Reports of Committees

Meeting Date: 13 September 2022

ORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 13 September 2022

SECTION 4 – Reports of Committees

Item:166 **ROC - Local Traffic Committee - 8 August 2022 - (95495, 80245)**

Directorate: Infrastructure Services

PURPOSE OF THE REPORT:

The purpose of this report is to present the Minutes of the Local Traffic Committee, held on 08 August 2022.

EXECUTIVE SUMMARY:

The Local Traffic Committee considered seven items, contained within the Minutes of the Local Traffic Committee.

The Committee has been constituted for the purpose of providing technical review and advice on various traffic related matters, to Council in the exercising of its delegated functions as they relate to the regulation of traffic on the public road network, for which Council is the Roads Authority. The Committee has, however, no delegated authority in its own right and cannot bind Council.

The recommendations of the Committee are in line with the objectives of the Committee, as set out under the Delegation Instrument, and with established practices and procedures.

RECOMMENDATION:

That Council adopt the recommendations contained in the minutes of the Hawkesbury City Council Traffic Committee meeting held on 8 August 2022.

DISCUSSION

The Committee considered staff reports on a range of matters as shown in the attached minutes (Attachment 1).

- Special Event Update – Cancellation / Rescheduling of 2022 Special Events
- Special Event Matter – 2022 Bridge to Bridge Water Ski Classic
- Special Event Matter – Australian Street Rod Nationals 2023
- General Traffic Matter – Proposed Signs and Linemarking in Kurts Road, Bilpin
- General Traffic Matter – Pedestrian Safety Review in Riverview Street and Pitt Lane, North Richmond
- General Traffic Matter – Proposed Signposting and Linemarking for the Vineyard Precinct in the vicinity of Menin Road and Boundary Road, Oakville
- General Traffic Matter – TfNSW Traffic Changes on Macquarie Street between Brabyn Street and Hawkesbury Valley Way, Windsor

ATTACHMENTS:

AT - 1 Minutes of the Local Traffic Committee held on 8 August 2022.

ORDINARY MEETING
SECTION 4 – Reports of Committees

Meeting Date: 13 September 2022

AT - 1 Minutes of the Local Traffic Committee held on 08 August 2022

Minutes of the Meeting of the Local Traffic Committee held remotely on 8 August 2022, commencing at 3pm.

ATTENDANCE

Present: Councillor Mary Lyons-Buckett, Hawkesbury City Council
Ms Anu Mohandas, Roads and Maritime Services
Mr Steve Grady, Busways
Ms Thera Hobbs, representing Ms Robyn Preston MP, Member for Hawkesbury

Apologies: Senior Constable Damien Mitchell, NSW Police Force
Inspector Mark Harvey, NSW Police Force

In Attendance: Mr Christopher Amit, Hawkesbury City Council, (Chair)
Ms Cathy Mills, Hawkesbury City Council

RESOLVED on the motion of Councillor Lyons-Buckett, seconded by Ms Hobbs that the apologies be accepted.

SECTION 1 – Minutes

Item 1.1 Confirmation of Minutes

The Committee resolved on the Motion of Councillor Lyons-Buckett, seconded by Ms Anu Mohandas, that the Minutes from the previous meeting held on Monday, 11 July 2022 be confirmed.

Item 1.2 Business Arising

There was no Business Arising from the previous minutes.

SECTION 2 - Reports for Determination

Item: 2.1 LTC - Cancellation/Rescheduling of 2022 Special Events Hawkesbury) - (80245)

Previous Item: 2.1, LTC (11 July 2022)

REPORT:

Several Events planned to be undertaken in 2022 within the Hawkesbury Local Government Area have been impacted by the recent weather events and flooding during February, March and July 2022.

The following events have been cancelled:

1. The All Holden Day 2022 event: The event was originally approved for Sunday 07 August 2022. Due to the flood event in July 2022 and its impact on the condition of the Hawkesbury Showground, the event has been cancelled for 2022.
2. The Hawkesbury Fest 2022 event: The event was approved for Sunday, 07 August 2022. Due to the flood event in July 2022 and its impact on the condition of Governor Phillip Park, the event has been cancelled for 2022.

ORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 13 September 2022

RECOMMENDATION TO COMMITTEE:

That the information be received.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Lyons-Buckett, seconded by Ms Hobbs.

Support for the Recommendation: Unanimous support

That the information be received.

Item: 2.2 LTC - 2022 Bridge to Bridge Water Ski Classic - (Hawkesbury) - (80245, 74204)

REPORT:

Introduction

An application has been received from the NSW Water Ski Federation Ltd, seeking approval (in traffic management terms) to conduct the 2022 Bridge to Bridge Water Ski Classic on Saturday, 26 and Sunday, 27 November 2022.

The event organiser is proceeding with the event based on the current Public Health (COVID-19 General) Order 2022 under the Public Health Act 2010 (NSW).

The event organiser has advised;

- The Bridge to Bridge Water Ski Classic is an annual water ski racing event along the Hawkesbury River extending from Dangar Island, Brooklyn to Governor Phillip Park, Windsor. It is the longest non-stop ski race in the world covering a distance of approximately 112 kilometres.
- In recent years the 2019 event was cancelled due to the bushfires in late 2019 and the rescheduled event in 2020 was cancelled due to COVID-19 as was the 2021 event, which was also affected from the long standing effects of the 2021 floods.
- This annual event has been held for over 60 years since 1961 and is a regular feature of the local community calendar in the Hawkesbury area.
- The participants range in age from 10 years to 70 years old.
- Event Schedule:
 - Saturday, 26 November 2022: 6am – 4pm.
 - Starting at Sackville Ski Gardens and finishing at Governor Phillip Park, Windsor.
 - Sunday, 27 November 2022: 6am – 4pm.
 - Starting at Danger Island Brooklyn and finishing at Governor Phillip Park, Windsor.
- The suspension of ferry services, controlled by Transport for NSW – TfNSW (formerly RTA/RMS) and Council, is required on Sunday, 27 November 2022:
 - Wisemans Ferry (TfNSW (formerly RTA/RMS)): 8:30am to 1pm
 - Webbs Creek Ferry (TfNSW (formerly RTA/RMS)): 8:30am to 1pm

ORDINARY MEETING

SECTION 4 – Reports of Committees

Meeting Date: 13 September 2022

- Lower Portland Ferry (HCC): 8:30am to 3pm
- Sackville Ferry (TfNSW (formerly RTA/RMS)): 8:30am to 3pm
- The suspension of the ferry services is required for safety reasons. Emergency vehicles will be allowed access at all times. The ferries will operate in the event of an emergency and competitors will be stopped to ensure the safety of all.
- Safety Vessels with crew will be placed downstream from each ferry with suitable equipment to indicate to competitors that a ferry may be operating and with communication between the boat and ferry vessel. Such procedures will be implemented to the satisfaction of Transport for NSW – TfNSW (formerly RTA/RMS) and Hawkesbury City Council.
- Transport for NSW – TfNSW (formerly RTA/RMS) and Hawkesbury City Council will be delegated authority to alter ferry suspension times if necessary.
- The number of participants expected is approximately 400 for the event, which includes 150 to 200 boats as in previous years.
- There will be approximately 2,000 spectators for the event at the finish venue in Windsor.
- Parking will be at Governor Phillip Park with additional parking available off street utilising vacant land adjacent to Governor Phillip Park.
- There will be a rise in pedestrian and vehicle numbers at Governor Phillip Park.
- There will be an increase to traffic flow on roads surrounding Governor Phillip Park; however, the effect on traffic is not expected to be significant.
- It is expected that the event will impact only marginally on traffic using Windsor Road, Bridge Street, Macquarie Street and Wilberforce Road, but historically there have been no issues with traffic in these areas.
- Road closures are not required other than the closure of the approach roads to the four ferries along the Hawkesbury River.
- Advance warning with VMS will be located at;
 - Windsor Road, north of McGraths Road,
 - Macquarie Street between Christie Street and Suffolk Street,
 - Wilberforce Road at Freemans Reach Road.

Discussion

The event organiser is seeking Council and Transport for NSW – TfNSW (formerly RTA/RMS) approval for the suspension of the following Ferry Services on Sunday, 27 November 2022:

- Wisemans Ferry (TfNSW (formerly RTA/RMS)): 8:30am to 1pm
- Webbs Creek Ferry (TfNSW (formerly RTA/RMS)): 8:30am to 1pm
- Lower Portland Ferry (HCC): 8:30am to 3pm
- Sackville Ferry (TfNSW (formerly RTA/RMS)): 8:30am to 3pm

The total suspension of the ferries will enable a free flow of competitors across the ferry crossings. The four ferries will be suspended generally between 8:30am to 1pm with the Lower Portland Ferry and Sackville Ferry closure times extending to 3pm as these two ferries are further along the course route.

Ferry operations are not affected on Saturday, 26 November 2022, as Wiseman Ferry, Webbs Creek Ferry, Sackville Ferry and Lower Portland Ferry are all located downstream of the Sackville Ski Gardens.

ORDINARY MEETING
SECTION 4 – Reports of Committees

Meeting Date: 13 September 2022

Emergency vehicles will be allowed access onto the ferries. Safety vessels with crew will be placed downstream from each ferry with suitable equipment to indicate to competitors that a ferry may be operating and with communication between the boat and the ferry vessel.

Lower Portland Ferry Service is under the care and control of Hawkesbury City Council. The Wisemans Ferry, Webbs Creek Ferry and Sackville Ferry services are the under the care and control of Transport for NSW – TfNSW (formerly RTA/RMS).

The event will be held principally along the Hawkesbury River with the event organiser requesting exclusive use of the River from Transport for NSW – TfNSW (formerly NSW Maritime). The spectators and participants travelling to the event, and in particular to Governor Phillip Park, may impact heavily on the state road network along Windsor Road, Macquarie Street, Wilberforce Road and Bridge Street as well as the local roads such as George Street and Court Street. Due to the opening of the new Windsor Bridge and the provision of signals at the intersection of Bridge Street and George Street, traffic arrangements and restrictions to turning movements have been implemented at this intersection which results in directing more traffic to the intersection of Bridge Street and Court Street.

Furthermore, the suspension of the Ferry services and subsequent road closures leading to the ferries (three Transport for NSW ferries and one HCC Ferry) will have an impact on the adjacent road network in the vicinity of the ferries. The suspension of the Transport for NSW ferries is affectively closing three State roads. It would be appropriate to classify the event as a “Class 1” special event under the “Traffic and Transport Management for Special Events” guidelines issued by Transport for NSW – TfNSW (formerly RTA/RMS).

As the event is classified as a “Class 1” event, approval is to be sought directly by the event organiser for any alterations to the operation of the Wisemans Ferry, Webbs Creek Ferry and Sackville Ferry services from Transport for NSW – TfNSW (formerly TMC).

The Transport Management Plan (TMP) and the associated Traffic Control Plans (TCP) are to be submitted to Transport for NSW – TfNSW (formerly TMC) for authorisation due to the road closures resulting from the suspension of the HCC and TfNSW (formerly RTA/RMS) ferries.

The event organiser is to ensure that the current Public Health (COVID-19 General) Order 2022 under the Public Health Act 2010 (NSW), as a minimum, is adhered to and changes to the Public Health Order may lead to the event being cancelled/postponed.

The event organiser has submitted the following items in relation to the event: Attachment 1 (ECM Document Set ID No: 8017895):

1. Traffic and Transport Management for Special Events – HCC: Form A – Initial Approval - Application Form,
2. Traffic and Transport Management for Special Events – HCC: Form B – Initial Approval Application - Checklist,
3. Special Event Transport Management Plan Template – RTA (Transport for NSW – TfNSW),
4. Risk Assessment
5. Traffic Guidance Plan to access Governor Phillip Park and Traffic Control Plans (TCPs) which refers to previous years,
6. Site Plan and VMS Location Plan.

RECOMMENDATION TO COMMITTEE:

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council’s web site, <https://www.hawkesbury.nsw.gov.au/your-council/events/traffic-management-for-special-events>, and refer to the documentation contained

ORDINARY MEETING

SECTION 4 – Reports of Committees

Meeting Date: 13 September 2022

within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they comply with the contents and requirements of this information which includes the Transport for NSW – TfNSW (formerly RTA/RMS) publication “Guide to Traffic and Transport Management for Special Events” (Version 3.4) and the Hawkesbury City Council special event information package.

2. The 2022 Bridge to Bridge Water Ski Classic event planned for Saturday 26 and Sunday, 27 November 2022 by the NSW Water Ski Federation Ltd, be classified as a “Class 1” special event, in terms of traffic management, under the “Traffic and Transport Management for Special Events” guidelines issued by Transport for NSW – TfNSW (formerly RTA/RMS).
3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser and the event organiser is to ensure that the current Public Health (COVID-19 General) Order 2022 under the Public Health Act 2010 (NSW), as a minimum, is adhered to and changes to the Public Health Order may lead to the event being cancelled/postponed.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted and the following conditions:

Prior to the event:

- 4a. the event organiser is responsible for ensuring the safety of all involved in relation to the proposed event and must fully comply with the requirements of the Work Health and Safety (WHS) Act 2011, WHS Regulations 2011 and associated Australian Standards and applicable Codes of Practice. It is incumbent on the organiser under this legislation to ensure all potential risks are identified and assessed as to the level of harm they may pose and that suitable control measures are instigated to either eliminate these or at least reduce them to an acceptable level. This will include assessing the potential risks to spectators, participants and road/park/facility users etc during the event including setting up and clean-up activities. This process must also include (where appropriate) but is not limited to the safe handling of hazardous substances, electrical equipment testing, tagging and layout, traffic/pedestrian management plans, certification and licensing in relation to amusement rides, relevant current insurance cover and must be inclusive of meaningful consultation with all stakeholders. (information for event organisers about managing risk is available on the NSW Sport and Recreation’s web site at <http://www.dsr.nsw.gov.au>; additionally Council has an events template which can be provided to assist in identifying and controlling risks);
- 4b. the event organiser is to assess the risk and address the suitability of the entire route/site as part of the risk assessment considering the possible risks for all participants. This assessment should be carried out by visual inspection of the route/site by the event organiser prior to preparing the TMP and prior to the event. The event organiser must have a risk assessment that includes COVID-19 risk and must have a COVID-19 Safety Plan developed;
- 4c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; a copy of the Police Force approval to be submitted to Council;
- 4d. the event organiser is to obtain approval from Transport for NSW – TfNSW (formerly TMC) as this is a "Class 1" event, the road closures resulting from the suspension of the HCC and TfNSW (formerly RTA/RMS) ferries and the traffic movements and restrictions along Bridge Street and its intersections with George Street and Court Street, Windsor; a copy of the Transport for NSW – TfNSW (formerly TMC) approval to be submitted to Council;
- 4e. the event organiser is to submit a Transport Management Plan (TMP) for the entire route/event incorporating Traffic Control Plans (TCPs) for the entire route which need to include details such as the specific position of barriers, signs etc, required for the proposed ferry/road closures and traffic diversions, and how traffic will be managed along Bridge Street, Windsor taking into account the traffic movements and restrictions along Bridge Street and its intersections with George Street and Court Street, to Council for acknowledgement and

ORDINARY MEETING

SECTION 4 – Reports of Committees

Meeting Date: 13 September 2022

Transport for NSW – TfNSW (formerly TMC) for concurrence. The TCP should be prepared by a person holding appropriate certification as required by Transport for NSW – TfNSW (formerly RTA/RMS) to satisfy the requirements of WHS legislation and associated Codes of Practice and Australian Standards;

- 4f. the event organiser is to submit to Council a copy of its Public Liability Policy in an amount not less than \$20,000,000 noting Council and Transport for NSW – TfNSW (formerly TMC and RTA/RMS) as interested parties on the Policy and that Policy is to cover both on-road and off-road activities;
- 4g. as the event requires traffic control on Council roads and the closure of public roads due to the suspension of Ferry services, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with any associated fee, to occupy and close the roads;
- 4h. the event organiser is to obtain the relevant approval to conduct the event along the Hawkesbury River from Transport for NSW – TfNSW (formerly NSW Maritime); a copy of this approval to be submitted to Council;
- 4i. the event organiser is to obtain approval from the respective Land Owners for the use of their land for the event; a copy of this approval to be submitted to Council;
- 4j. the event organiser is to obtain written approval from Councils' Parks and Recreation Section for the use of Governor Phillip Park;
- 4k. the event organiser is to advise all adjoining Councils such as Central Coast, The Hills and Hornsby of the event and in particular the suspension of the ferries and obtain any necessary approvals from these Councils; a copy of this approval to be submitted to Council;
- 4l. the event organiser is to advertise the event in the local press stating the entire route/extent of the event, including the proposed traffic control measures, road/ferry closures, the impact on ferry services and the traffic impact/delays expected, due to the event, two weeks prior to the event; a copy of the proposed advertisement to be submitted to Council (indicating the advertising medium);
- 4m. the event organiser is to notify the details of the event to the NSW Ambulance Service, Fire and Rescue NSW, NSW Rural Fire Service and SES at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
- 4n. the event organiser is to directly notify relevant ferry operators, bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event, including the proposed traffic control measures, road/ferry closures, the impact on ferry services and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
- 4o. the event organiser is to directly notify all the residences and businesses which may be affected by the event, including the proposed traffic control measures, road/ferry closures, the impact on ferry services and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; a copy of the correspondence to be submitted to Council;
- 4p. the event organiser is to submit the completed "Traffic and Transport Management for Special Events – Final Approval Application Form (Form C)" to Council;

During the event:

- 4q. access is to be maintained for businesses, residents and their visitors;

ORDINARY MEETING

SECTION 4 – Reports of Committees

Meeting Date: 13 September 2022

- 4r. a clear passageway of at least four metres in width is to be maintained at all times for emergency vehicles;
- 4s. all traffic controllers / marshals operating within the public road network or road related area, are to hold appropriate certification as required by Transport for NSW – TfNSW (formerly RTA/RMS);
- 4t. in accordance with the submitted TMP and associated TCP, appropriate advisory signs and traffic control devices are to be placed along the route (including the road closure points for the Ferry closures), during the event, under the direction of a traffic controller holding appropriate certification as required by Transport for NSW – TfNSW (formerly RTA/RMS);
- 4u. the competitors and participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event;
- 4v. all roads and marshalling points are to be kept clean and tidy, with all signs and devices to be removed immediately upon completion of the activity,

Ferry Services

- 5. The applicant is to seek approval from Transport for NSW – TfNSW (formerly TMC and RTA/RMS), for the suspension of the Wisemans Ferry, Webbs Creek Ferry and Sackville Ferry services, due to the event being classified as a Class 1 event. There is no objection to the suspension of the Lower Portland Ferry Service.

Suspension of the ferry services on Sunday, 27 November 2022 as listed below:

- Wisemans Ferry (TfNSW (formerly RTA/RMS)): 8:30am to 1pm
- Webbs Creek Ferry (TfNSW (formerly RTA/RMS)): 8:30am to 1pm
- Lower Portland Ferry (HCC): 8:30am to 3pm
- Sackville Ferry (TfNSW (formerly RTA/RMS)): 8:30am to 3pm

is subject to the applicant complying with the following conditions, as well as any conditions imposed by Transport for NSW – TfNSW (formerly TMC):

- 5a. the applicant is to contact Hawkesbury City Council's Construction and Maintenance Section and the Ferry operator, three weeks prior to the event with regard to the suspension of the Lower Portland Ferry service maintained by Hawkesbury City Council;
- 5b. advertising of the proposed event is to be undertaken at the expense of the event organiser in both Sydney and Local newspapers, two weeks prior to the event, in relation to :
 - traffic impact and delays,
 - exclusive use of Governor Phillip Park,
 - timings of suspension/operation of ferry services,

such notice is to be incorporated in the news sections of those newspapers and to be approximately 1/8 (one-eighth) page size;

- 5c. signs are to be erected at the expense of the event organiser in locations indicated in the approved Transport Management Plan and Traffic Control Plan and at a size indicated in the same, on all roads leading to the ferries, as well as on each ferry, for at least two weeks prior to the event;
- 5d. safety precautions outlined in the TMP are to be in place at all ferry locations, such to include a boat and crew upstream and/or downstream from each ferry as applicable with suitable equipment to indicate to competitors that a ferry may be operating and with communication between that boat and the ferry vessel, such procedures are to be implemented to the

ORDINARY MEETING

SECTION 4 – Reports of Committees

Meeting Date: 13 September 2022

satisfaction of Transport for NSW – TfNSW (formerly TMC, RTA/RMS and NSW Maritime) and Hawkesbury City Council; and,

- 5e. the Transport for NSW – TfNSW (formerly TMS and RTA/RMS) and Council be authorised to alter ferry suspension/operation times if necessary.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Lyons-Buckett, seconded by Ms Hobbs.

Support for the Recommendation: Unanimous support

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council’s web site, <https://www.hawkesbury.nsw.gov.au/your-council/events/traffic-management-for-special-events>, and refer to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they comply with the contents and requirements of this information which includes the Transport for NSW – TfNSW (formerly RTA/RMS) publication “Guide to Traffic and Transport Management for Special Events” (Version 3.4) and the Hawkesbury City Council special event information package.
2. The 2022 Bridge to Bridge Water Ski Classic event planned for Saturday 26 and Sunday, 27 November 2022 by the NSW Water Ski Federation Ltd, be classified as a “Class 1” special event, in terms of traffic management, under the “Traffic and Transport Management for Special Events” guidelines issued by Transport for NSW – TfNSW (formerly RTA/RMS).
3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser and the event organiser is to ensure that the current Public Health (COVID-19 General) Order 2022 under the Public Health Act 2010 (NSW), as a minimum, is adhered to and changes to the Public Health Order may lead to the event being cancelled/postponed.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted and the following conditions:

Prior to the event:

- 4a. the event organiser is responsible for ensuring the safety of all involved in relation to the proposed event and must fully comply with the requirements of the Work Health and Safety (WHS) Act 2011, WHS Regulations 2011 and associated Australian Standards and applicable Codes of Practice. It is incumbent on the organiser under this legislation to ensure all potential risks are identified and assessed as to the level of harm they may pose and that suitable control measures are instigated to either eliminate these or at least reduce them to an acceptable level. This will include assessing the potential risks to spectators, participants and road/park/facility users etc during the event including setting up and clean-up activities. This process must also include (where appropriate) but is not limited to the safe handling of hazardous substances, electrical equipment testing, tagging and layout, traffic/pedestrian management plans, certification and licensing in relation to amusement rides, relevant current insurance cover and must be inclusive of meaningful consultation with all stakeholders. (information for event organisers about managing risk is available on the NSW Sport and Recreation’s web site at <http://www.dsr.nsw.gov.au>; additionally Council has an events template which can be provided to assist in identifying and controlling risks);
- 4b. the event organiser is to assess the risk and address the suitability of the entire route/site as part of the risk assessment considering the possible risks for all participants. This assessment

ORDINARY MEETING

SECTION 4 – Reports of Committees

Meeting Date: 13 September 2022

- should be carried out by visual inspection of the route/site by the event organiser prior to preparing the TMP and prior to the event. The event organiser must have a risk assessment that includes COVID-19 risk and must have a COVID-19 Safety Plan developed;
- 4c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; a copy of the Police Force approval to be submitted to Council;
 - 4d. the event organiser is to obtain approval from Transport for NSW – TfNSW (formerly TMC) as this is a "Class 1" event, the road closures resulting from the suspension of the HCC and TfNSW (formerly RTA/RMS) ferries and the traffic movements and restrictions along Bridge Street and its intersections with George Street and Court Street, Windsor; a copy of the Transport for NSW – TfNSW (formerly TMC) approval to be submitted to Council;
 - 4e. the event organiser is to submit a Transport Management Plan (TMP) for the entire route/event incorporating Traffic Control Plans (TCPs) for the entire route which need to include details such as the specific position of barriers, signs etc, required for the proposed ferry/road closures and traffic diversions, and how traffic will be managed along Bridge Street, Windsor taking into account the traffic movements and restrictions along Bridge Street and its intersections with George Street and Court Street, to Council for acknowledgement and Transport for NSW – TfNSW (formerly TMC) for concurrence. The TCP should be prepared by a person holding appropriate certification as required by Transport for NSW – TfNSW (formerly RTA/RMS) to satisfy the requirements of WHS legislation and associated Codes of Practice and Australian Standards;
 - 4f. the event organiser is to submit to Council a copy of its Public Liability Policy in an amount not less than \$20,000,000 noting Council and Transport for NSW – TfNSW (formerly TMC and RTA/RMS) as interested parties on the Policy and that Policy is to cover both on-road and off-road activities;
 - 4g. as the event requires traffic control on Council roads and the closure of public roads due to the suspension of Ferry services, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with any associated fee, to occupy and close the roads;
 - 4h. the event organiser is to obtain the relevant approval to conduct the event along the Hawkesbury River from Transport for NSW – TfNSW (formerly NSW Maritime); a copy of this approval to be submitted to Council;
 - 4i. the event organiser is to obtain approval from the respective Land Owners for the use of their land for the event; a copy of this approval to be submitted to Council;
 - 4j. the event organiser is to obtain written approval from Councils' Parks and Recreation Section for the use of Governor Phillip Park;
 - 4k. the event organiser is to advise all adjoining Councils such as Central Coast, The Hills and Hornsby of the event and in particular the suspension of the ferries and obtain any necessary approvals from these Councils; a copy of this approval to be submitted to Council;
 - 4l. the event organiser is to advertise the event in the local press stating the entire route/extent of the event, including the proposed traffic control measures, road/ferry closures, the impact on ferry services and the traffic impact/delays expected, due to the event, two weeks prior to the event; a copy of the proposed advertisement to be submitted to Council (indicating the advertising medium);
 - 4m. the event organiser is to notify the details of the event to the NSW Ambulance Service, Fire and Rescue NSW, NSW Rural Fire Service and SES at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;

ORDINARY MEETING

SECTION 4 – Reports of Committees

Meeting Date: 13 September 2022

- 4n. the event organiser is to directly notify relevant ferry operators, bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event, including the proposed traffic control measures, road/ferry closures, the impact on ferry services and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
- 4o. the event organiser is to directly notify all the residences and businesses which may be affected by the event, including the proposed traffic control measures, road/ferry closures, the impact on ferry services and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; a copy of the correspondence to be submitted to Council;
- 4p. the event organiser is to submit the completed "Traffic and Transport Management for Special Events – Final Approval Application Form (Form C)" to Council;

During the event:

- 4q. access is to be maintained for businesses, residents and their visitors;
- 4r. a clear passageway of at least four metres in width is to be maintained at all times for emergency vehicles;
- 4s. all traffic controllers / marshals operating within the public road network or road related area, are to hold appropriate certification as required by Transport for NSW – TfNSW (formerly RTA/RMS);
- 4t. in accordance with the submitted TMP and associated TCP, appropriate advisory signs and traffic control devices are to be placed along the route (including the road closure points for the Ferry closures), during the event, under the direction of a traffic controller holding appropriate certification as required by Transport for NSW – TfNSW (formerly RTA/RMS);
- 4u. the competitors and participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event;
- 4v. all roads and marshalling points are to be kept clean and tidy, with all signs and devices to be removed immediately upon completion of the activity,

Ferry Services

- 5. The applicant is to seek approval from Transport for NSW – TfNSW (formerly TMC and RTA/RMS), for the suspension of the Wisemans Ferry, Webbs Creek Ferry and Sackville Ferry services, due to the event being classified as a Class 1 event. There is no objection to the suspension of the Lower Portland Ferry Service.

Suspension of the ferry services on Sunday, 27 November 2022 as listed below:

- Wisemans Ferry (TfNSW (formerly RTA/RMS)): 8:30am to 1pm
- Webbs Creek Ferry (TfNSW (formerly RTA/RMS)): 8:30am to 1pm
- Lower Portland Ferry (HCC): 8:30am to 3pm
- Sackville Ferry (TfNSW (formerly RTA/RMS)): 8:30am to 3pm

is subject to the applicant complying with the following conditions, as well as any conditions imposed by Transport for NSW – TfNSW (formerly TMC):

- 5a. the applicant is to contact Hawkesbury City Council's Construction and Maintenance Section and the Ferry operator, three weeks prior to the event with regard to the suspension of the Lower Portland Ferry service maintained by Hawkesbury City Council;

ORDINARY MEETING

SECTION 4 – Reports of Committees

Meeting Date: 13 September 2022

- 5b. advertising of the proposed event is to be undertaken at the expense of the event organiser in both Sydney and Local newspapers, two weeks prior to the event, in relation to:
- traffic impact and delays,
 - exclusive use of Governor Phillip Park,
 - timings of suspension/operation of ferry services,
- such notice is to be incorporated in the news sections of those newspapers and to be approximately 1/8 (one-eighth) page size;
- 5c. signs are to be erected at the expense of the event organiser in locations indicated in the approved Transport Management Plan and Traffic Control Plan and at a size indicated in the same, on all roads leading to the ferries, as well as on each ferry, for at least two weeks prior to the event;
- 5d. safety precautions outlined in the TMP are to be in place at all ferry locations, such to include a boat and crew upstream and/or downstream from each ferry as applicable with suitable equipment to indicate to competitors that a ferry may be operating and with communication between that boat and the ferry vessel, such procedures are to be implemented to the satisfaction of Transport for NSW – TfNSW (formerly TMC, RTA/RMS and NSW Maritime) and Hawkesbury City Council; and,
- 5e. the Transport for NSW – TfNSW (formerly TMS and RTA/RMS) and Council be authorised to alter ferry suspension/operation times if necessary.

Item: 2.3 LTC - Australian Street Rod Nationals 2023 - Hawkesbury, Clarendon (Hawkesbury) - (80245, 133698)

REPORT:

Introduction

An application has been received from the Australian Street Rod Federation seeking approval (in traffic management terms) to conduct the Australian Street Rod Nationals 2023 within the Hawkesbury Showground, Clarendon, between Thursday, 07 April 2023 and Sunday, 10 April 2023.

The event organiser is proceeding with the event based on the current Public Health (COVID-19 General) Order 2022 under the Public Health Act 2010 (NSW).

The event organiser has advised:

- This is an annual event held in different locations around Australia.
- The event has been held for the past 24 years.
- The Australian Street Rod Nationals is an event where street rod enthusiasts can gather and display their cars.
- 400 camp sites will be available within the Hawkesbury Showground.
- Thursday, 07 April and Friday, 08 April 2023 are for street rod entrants only.
- The car display will continue on Saturday, 09 and Sunday, 10 April 2023 and be open to the public.

ORDINARY MEETING

SECTION 4 – Reports of Committees

Meeting Date: 13 September 2022

- The event will be conducted between 9am and 5pm across the four days.
- Associated with the event are traders and vendors with Street Rod related products and services as well as food trucks.
- The Showground is located on Racecourse Road, with the Hawkesbury Racecourse and the Clarendon Railway Station located opposite.
- The event is located within the Hawkesbury Showground only.
- The event is expected to attract approximately 2,000 participants and 10,000 visitors.
- It is anticipated that most visitors will travel by car. They will park within the Hawkesbury Showground car parking area and will be directed into the site via Gate 4, by accredited traffic controllers. Exit from the showground will also be via Gate 4, with vehicles turning both left and right out of Gate 4.
- There may be an increase to traffic flow on Hawkesbury Valley Way and Racecourse Road on the Saturday and Sunday mornings during the public event days. Traffic controllers will monitor queue lengths along Racecourse Road to ensure vehicles do not queue across the Railway level crossing.
- Traffic controllers will monitor the exit of vehicles from the showground. If there are issues with vehicles turning right into Hawkesbury Valley Way from Racecourse Road due to heavy traffic on Hawkesbury Valley Way, intersection management of the area will be undertaken.
- Advance warning with VMS shall be installed at 5 locations which include Windsor Road, Hawkesbury Valley Way and Blacktown Road.

Details of the Event Overview Plan, Traffic Movement Plan and VMS Messaging Plans are contained in Attachments 1 to 4.

Discussion

Racecourse Road intersects with Hawkesbury Valley Way near the northern boundary of the showground site and intersects with Blacktown Road approximately 3.5 kilometres to the south. Racecourse Road is a minor rural road of approximately 3.5 kilometres in length with the full length being sealed. The event organiser is anticipating that a high proportion of traffic is expected from the Hawkesbury Valley Way intersection. Both Hawkesbury Valley Way and Blacktown Road are main arterial roads.

Traffic congestion is likely to be concentrated in Hawkesbury Valley Way, from where the majority of vehicles will queue to enter Racecourse Road, and in Racecourse Road, as vehicles queue to enter the parking area from Gate 4. It is likely that some vehicles, to avoid the congestion at Hawkesbury Valley Way, will travel towards the showground along Racecourse Road from the Blacktown Road intersection.

The Transport Management Plan (TMP) and the associated Traffic Control Plans (TCPs), once finalised, are to be submitted to Transport for NSW – TfNSW (formerly TMC) for authorisation due to the proposed traffic movements into and out of Racecourse Road that will affect the movement of traffic along Hawkesbury Valley Way and Blacktown Road as well as the potential impact across the railway level crossing at Clarendon Station.

It would be appropriate to classify the event as a “Class 2” special event under the “Traffic and Transport Management for Special Events” guidelines issued by Transport for NSW – TfNSW (formerly RTA/RMS) as the event may impact on major traffic and transport systems and there may be low scale disruption to the non-event community.

ORDINARY MEETING
SECTION 4 – Reports of Committees

Meeting Date: 13 September 2022

The event organiser is to ensure that the current Public Health (COVID-19 General) Order 2022 under the Public Health Act 2010 (NSW), as a minimum, is adhered to and changes to the Public Health Order may lead to the event being cancelled/postponed.

The event organiser has submitted the following items in relation to the event: Attachment 5 (ECM Document Set ID No: 8018020):

1. Traffic and Transport Management for Special Events – HCC: Form A – Initial Approval - Application Form,
2. Traffic and Transport Management for Special Events – HCC: Form B – Initial Approval Application - Checklist,
3. Special Event Transport Management Plan Template – RTA (Transport for NSW – TfNSW),
4. Special Event Traffic Management Plan (TMP) and Traffic Control Plans (TCPs),
5. Event and Parking Layout for the Showground,
6. VMS Location plans for Blacktown Road, Hawkesbury Valley Way and Windsor Road.
7. Copy of Insurance Policy which is valid to 20 November 2022,
8. Copy of the application to the NSW Police Force,
9. Copies of correspondence forwarded to the NSW Police Force, NSW Ambulance Service, Richmond and Windsor Fire Brigade (Fire & Rescue NSW) and SES.

RECOMMENDATION TO COMMITTEE:

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council’s web site, <https://www.hawkesbury.nsw.gov.au/your-council/events/traffic-management-for-special-events>, and refer to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they comply with the contents and requirements of this information which includes the Transport for NSW – TfNSW (formerly RTA/RMS) publication “Guide to Traffic and Transport Management for Special Events” (Version 3.4) and the Hawkesbury City Council special event information package.
2. The Australian Street Rod Nationals 2023 event within the Hawkesbury Showground, Clarendon, to be held between Thursday, 07 April 2023 and Sunday, 10 April 2023 be classified as a “Class 2” special event, in terms of traffic management, under the “Traffic and Transport Management for Special Events” guidelines issued by Transport for NSW – TfNSW (formerly RTA/RMS).
3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser and the event organiser is to ensure that the current Public Health (COVID-19 General) Order 2022 under the Public Health Act 2010 (NSW), as a minimum, is adhered to and changes to the Public Health Order may lead to the event being cancelled/postponed.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted and the following conditions:

Prior to the event:

- 4a. the event organiser is responsible for ensuring the safety of all involved in relation to the proposed event and must fully comply with the requirements of the Work Health & Safety (WHS) Act 2011, WHS Regulations 2011 and associated Australian Standards and applicable Codes of Practice. It is incumbent on the organiser under this legislation to ensure all potential risks are identified and assessed as to the level of harm they may pose and that suitable control measures are instigated to either eliminate these or at least reduce them to an acceptable level. This will include assessing the potential risks to spectators, participants and road/park/facility users etc during the event including setting up and clean-up activities.

ORDINARY MEETING

SECTION 4 – Reports of Committees

Meeting Date: 13 September 2022

This process must also include (where appropriate) but is not limited to the safe handling of hazardous substances, electrical equipment testing, tagging and layout, traffic/pedestrian management plans, certification and licensing in relation to amusement rides, relevant current insurance cover and must be inclusive of meaningful consultation with all stakeholders. (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>; additionally Council has an events template which can be provided to assist in identifying and controlling risks);

- 4b. the event organiser is to assess the risk and address the suitability of the entire site as part of the risk assessment considering the possible risks for all participants. This assessment should be carried out by visual inspection of the site by the event organiser prior to preparing the TMP and prior to the event. The event organiser must have a risk assessment that includes COVID-19 risk and must have a COVID-19 Safety Plan developed;
- 4c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; a copy of the Police Force approval to be submitted to Council;
- 4d. the event organiser is to submit a Transport Management Plan (TMP) for the entire event incorporating the submitted Traffic Control Plans (TCPs) to Council and Transport for NSW – TfNSW (formerly RTA/RMS) for acknowledgement and concurrence respectively;
- 4e. the event organiser is to obtain approval from Transport for NSW – TfNSW (formerly TMC) to undertake the proposed traffic movements into and out of Racecourse Road that will affect the movement of traffic along Hawkesbury Valley Way and Blacktown Road; a copy of the Transport for NSW – TfNSW (formerly TMC) approval to be submitted to Council;
- 4f. the event organiser is to submit to Council a copy of its Public Liability Policy in an amount not less than \$10,000,000 noting Hawkesbury City Council and Transport for NSW – TfNSW (formerly RTA/RMS) as interested parties on the Policy and that Policy is to cover both on-road and off-road activities;
- 4g. as the event requires traffic control on a public road, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with any associated fee, to occupy the road;
- 4h. the event organiser is to obtain approval from the respective Land Owners for the use of their land for the event; a copy of this approval to be submitted to Council;
- 4i. the event organiser is to advertise the event in the local press stating the entire extent of the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, two weeks prior to the event; a copy of the proposed advertisement to be submitted to Council (indicating the advertising medium);
- 4j. the event organiser is to notify the details of the event to the NSW Rural Fire Service at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
- 4k. the event organiser is to directly notify relevant bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
- 4l. the event organiser is to directly notify all the residences and businesses which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; a copy of the correspondence to be submitted to Council;

ORDINARY MEETING
SECTION 4 – Reports of Committees

Meeting Date: 13 September 2022

- 4m. the event organiser is to submit the completed "Traffic and Transport Management for Special Events – Final Approval Application Form (Form C)" to Council;

During the event:

- 4n. access is to be maintained for businesses, residents and their visitors;
- 4o. a clear passageway of at least four metres in width is to be maintained at all times for emergency vehicles;
- 4p. all traffic controllers / marshals operating within the public road network or road related area, are to hold appropriate certification as required by Transport for NSW – TfNSW (formerly RTA/RMS);
- 4q. in accordance with the submitted TMP and associated TCP, appropriate advisory signs and traffic control devices are to be placed for the event, during the event, under the direction of a traffic controller holding appropriate certification as required by Transport for NSW – TfNSW (formerly RTA/RMS);
- 4r. the participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event; and,
- 4s. all roads and marshalling points are to be kept clean and tidy, with all signs and devices to be removed immediately upon completion of the activity.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Lyons-Buckett, seconded by Ms Hobbs.

Support for the Recommendation: Unanimous support

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council's web site, <https://www.hawkesbury.nsw.gov.au/your-council/events/traffic-management-for-special-events>, and refer to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they comply with the contents and requirements of this information which includes the Transport for NSW – TfNSW (formerly RTA/RMS) publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package.
2. The Australian Street Rod Nationals 2023 event within the Hawkesbury Showground, Clarendon, to be held between Thursday, 07 April 2023 and Sunday, 10 April 2023 be classified as a "Class 2" special event, in terms of traffic management, under the "Traffic and Transport Management for Special Events" guidelines issued by Transport for NSW – TfNSW (formerly RTA/RMS).
3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser and the event organiser is to ensure that the current Public Health (COVID-19 General) Order 2022 under the Public Health Act 2010 (NSW), as a minimum, is adhered to and changes to the Public Health Order may lead to the event being cancelled/postponed.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted and the following conditions:

ORDINARY MEETING

SECTION 4 – Reports of Committees

Meeting Date: 13 September 2022

Prior to the event:

- 4a. the event organiser is responsible for ensuring the safety of all involved in relation to the proposed event and must fully comply with the requirements of the Work Health & Safety (WHS) Act 2011, WHS Regulations 2011 and associated Australian Standards and applicable Codes of Practice. It is incumbent on the organiser under this legislation to ensure all potential risks are identified and assessed as to the level of harm they may pose and that suitable control measures are instigated to either eliminate these or at least reduce them to an acceptable level. This will include assessing the potential risks to spectators, participants and road/park/facility users etc during the event including setting up and clean-up activities. This process must also include (where appropriate) but is not limited to the safe handling of hazardous substances, electrical equipment testing, tagging and layout, traffic/pedestrian management plans, certification and licensing in relation to amusement rides, relevant current insurance cover and must be inclusive of meaningful consultation with all stakeholders. (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>; additionally Council has an events template which can be provided to assist in identifying and controlling risks);
- 4b. the event organiser is to assess the risk and address the suitability of the entire site as part of the risk assessment considering the possible risks for all participants. This assessment should be carried out by visual inspection of the site by the event organiser prior to preparing the TMP and prior to the event. The event organiser must have a risk assessment that includes COVID-19 risk and must have a COVID-19 Safety Plan developed;
- 4c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; a copy of the Police Force approval to be submitted to Council;
- 4d. the event organiser is to submit a Transport Management Plan (TMP) for the entire event incorporating the submitted Traffic Control Plans (TCPs) to Council and Transport for NSW – TfNSW (formerly RTA/RMS) for acknowledgement and concurrence respectively;
- 4e. the event organiser is to obtain approval from Transport for NSW – TfNSW (formerly TMC) to undertake the proposed traffic movements into and out of Racecourse Road that will affect the movement of traffic along Hawkesbury Valley Way and Blacktown Road; a copy of the Transport for NSW – TfNSW (formerly TMC) approval to be submitted to Council;
- 4f. the event organiser is to submit to Council a copy of its Public Liability Policy in an amount not less than \$10,000,000 noting Hawkesbury City Council and Transport for NSW – TfNSW (formerly RTA/RMS) as interested parties on the Policy and that Policy is to cover both on-road and off-road activities;
- 4g. as the event requires traffic control on a public road, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with any associated fee, to occupy the road;
- 4h. the event organiser is to obtain approval from the respective Land Owners for the use of their land for the event; a copy of this approval to be submitted to Council;
- 4i. the event organiser is to advertise the event in the local press stating the entire extent of the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, two weeks prior to the event; a copy of the proposed advertisement to be submitted to Council (indicating the advertising medium);
- 4j. the event organiser is to notify the details of the event to the NSW Rural Fire Service at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;

ORDINARY MEETING

SECTION 4 – Reports of Committees

Meeting Date: 13 September 2022

- 4k. the event organiser is to directly notify relevant bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
- 4l. the event organiser is to directly notify all the residences and businesses which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; a copy of the correspondence to be submitted to Council;
- 4m. the event organiser is to submit the completed "Traffic and Transport Management for Special Events – Final Approval Application Form (Form C)" to Council;

During the event:

- 4n. access is to be maintained for businesses, residents and their visitors;
- 4o. a clear passageway of at least four metres in width is to be maintained at all times for emergency vehicles;
- 4p. all traffic controllers / marshals operating within the public road network or road related area, are to hold appropriate certification as required by Transport for NSW – TfNSW (formerly RTA/RMS);
- 4q. in accordance with the submitted TMP and associated TCP, appropriate advisory signs and traffic control devices are to be placed for the event, during the event, under the direction of a traffic controller holding appropriate certification as required by Transport for NSW – TfNSW (formerly RTA/RMS);
- 4r. the participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event; and,
- 4s. all roads and marshalling points are to be kept clean and tidy, with all signs and devices to be removed immediately upon completion of the activity.

Item: 2.4 LTC - Proposed Signs and Linemarking in Kurts Road, Bilpin (Hawkesbury) - (80245)

REPORT:

Background:

Representations have been received requesting a review of the intersection controls in Kurts Road, Bilpin including intersection congestion resulting from vehicles parking at or close to the intersection of Kurts Road and Bells Line of Road. The parking of vehicles along Kurts Road is a result of business/commercial activities within adjacent properties.

The existing intersection of Kurts Road at Bells Line of Road is not linemarked or sign posted. Vehicles are parked along Kurts Road within close proximity to the intersection ignoring the default 10metre No Stopping rule. The road width seal is generally 6metres wide along Kurts Road and within 25 metres from the intersection it ranges from 7metres to 18metres at Bells Line of Road. Kurts Road has variable width road shoulders providing a formation in the order of 8 to 9 metres away from the intersection.

ORDINARY MEETING
SECTION 4 – Reports of Committees

Meeting Date: 13 September 2022

When two vehicles are parked along Kurts Road, whilst there is sufficient room for one vehicle to pass through, manoeuvrability may become an issue at or near the intersection with Bells Line of Road for vehicles attempting to enter and leave Kurts Road.



Figure 1: Locality of Kurts Road at Bells Line of Road, Bilpin

To improve accessibility along Kurts Road at the intersection and also allow vehicles entering and leaving Kurts Road, not to be impeded by parked vehicles, it is proposed to provide intersection No Stopping zones supplemented by a Centre line (BB) and Edge lines (E1). The linemarking will better define each lane in Kurts Road and improve vehicle positioning accordingly. The linemarking and No Stopping zone will extend approximately 25metres into Kurts Road from Bells Line of Road to a point adjacent to the Power Pole (PP) 807854. The intersection No Stopping zone in Bells Line of Road will span approximately 50metres across the intersection. Kurts Road at the intersection will also be treated with Giveway controls and the associated linemarking.

To further improve the access past the intersection into Kurts Road, it is proposed to provide a No Parking zone extending from the end point of the proposed No Stopping zone on the eastern side of Kurts Road for a further 45metres, taking this zone approximately 12metres past the driveway to No. 2369 Bells Line of Road (corner property). Details of the proposed treatments are outlined in Attachment 1.

Consultation:

In relation to the proposed No Parking zone on the eastern side of Kurts Road, consultation has been undertaken with the adjoining property owner at No. 2369 Bells Line of Road (BLOR) who operates a business on the property. The property owner is supportive of the proposed No Parking zone as it will improve access along Kurts Road as well as access in and out of the driveway to their property.

Summary:

It is proposed that the following measures be undertaken in Kurts Road with its intersection with Bells Line of Road as outlined in Attachment 1:

- Kurts Road at Bells Line of Road – Giveway Sign (R1-2A) and Holding Line (TB/TB1)

ORDINARY MEETING
SECTION 4 – Reports of Committees

Meeting Date: 13 September 2022

- Kurts Road at Bells Line of Road – Centre Line (BB) and Edge Lines (E1)
- Kurts Road and Bells Line of Road – No Stopping zones (R5-400)
- Kurts Road – No Parking zone (R5-40)

RECOMMENDATION TO COMMITTEE:

The following measures be undertaken in Kurts Road with its intersection with Bells Line of Road, Bilpin as outlined in Attachment 1:

- Kurts Road at Bells Line of Road – Giveaway Sign (R1-2A) and Holding Line (TB/TB1)
- Kurts Road at Bells Line of Road – Centre Line (BB) and Edge Lines (E1)
- Kurts Road and Bells Line of Road – No Stopping zones (R5-400)
- Kurts Road – No Parking zone (R5-40)

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Lyons-Buckett, seconded by Ms Hobbs.

Support for the Recommendation: Unanimous support

The following measures be undertaken in Kurts Road with its intersection with Bells Line of Road, Bilpin as outlined in Attachment 1:

- Kurts Road at Bells Line of Road – Giveaway Sign (R1-2A) and Holding Line (TB/TB1)
- Kurts Road at Bells Line of Road – Centre Line (BB) and Edge Lines (E1)
- Kurts Road and Bells Line of Road – No Stopping zones (R5-400)
- Kurts Road – No Parking zone (R5-40)

Item: 2.5 LTC - Pedestrian Safety Review in Riverview Street and Pitt Lane, North Richmond (Hawkesbury) - (80245, 73625, 123265, 37526)

REPORT:

Background:

Concerns have been raised in relation to pedestrian movements and the safety of pedestrians crossing Riverview Street, North Richmond. Pedestrians attempt to cross Riverview Street to and from the commercial area which is on the north-eastern side of the road. There are also other services on the south-western side of the road that pedestrian's access.

Riverview Street is approximately 11.3metres wide between kerbs and operates as a two-way undivided road that travels parallel to Bells Line of Road and links Grose Vale Road to the north-west with Pitt Lane to the south-east. Riverview Street is approximately 330metres in length and provides access to residential and commercial land used on the south-western side and primarily commercial access, such as the shopping centre, on the north-eastern side. The shopping precinct provides for off road parking which is utilised by customers who access premises on the south-western side of the road.

Deliveries to the commercial precinct are serviced by truck movements whereby these trucks enter Riverview Street from either Grose Vale Road or Pitt Lane with the exception of semi-trailers (19metres) that can only enter Riverview Street from its intersection with Grose Vale Road.

ORDINARY MEETING
SECTION 4 – Reports of Committees

Meeting Date: 13 September 2022

Richmond North Public School is located on Grose Vale Road south-west of Riverview Street, with Grose Vale Road being a major attractor for both vehicle and pedestrian moments. Many students from the School travel along both directions of Grose Vale Road, with their being reports of pedestrians having difficulties at the Riverview Street and Grose Vale Road intersection.

Concerns have also been raised by residents within the Flinders Place catchment regarding the lack of crossing safety and accessibility at the Riverview Street and Pitt Lane intersection.

Both sides of Riverview Street have footpaths that provided pedestrian connectivity between Flinders Place and Grose Vale Road.



Figure 1: Site Plan – Riverview Street, North Richmond

An independent assessment has been undertaken of the site with a view to investigating traffic and pedestrian behaviour and recommending options to improve functionality and safety at this location. Potential crossing points were investigated as part of this process as outlined in Figure 2.



Figure 2: Potential Crossing Points – Riverview Street and Pitt Lane, North Richmond

ORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 13 September 2022

Riverview Street and Pitt Lane – Options Assessment:

The assessment involved reviewing traffic and pedestrian behaviour along Riverview Street and at its intersections with Grose Vale Road and Pitt Lane as well as Pitt Lane near Riverview Street. The review also included a review of accident trends as well as current traffic trends at the site.

Traffic observations/surveys were conducted at four locations along Riverview Street/Pitt Lane in November 2021 (Wednesday 17 and Friday 19) to capture both vehicle and pedestrian movements. The surveys were undertaken during the school term to reflect the typical traffic and pedestrian movements generated by Richmond North Public School and surrounding attractors. Peak morning and afternoon periods were identified for Wednesday 17 November 2021 between 11:00am to 12:00noon and 2:30pm to 3:30pm and outlined in Figure 3 and Table 1.

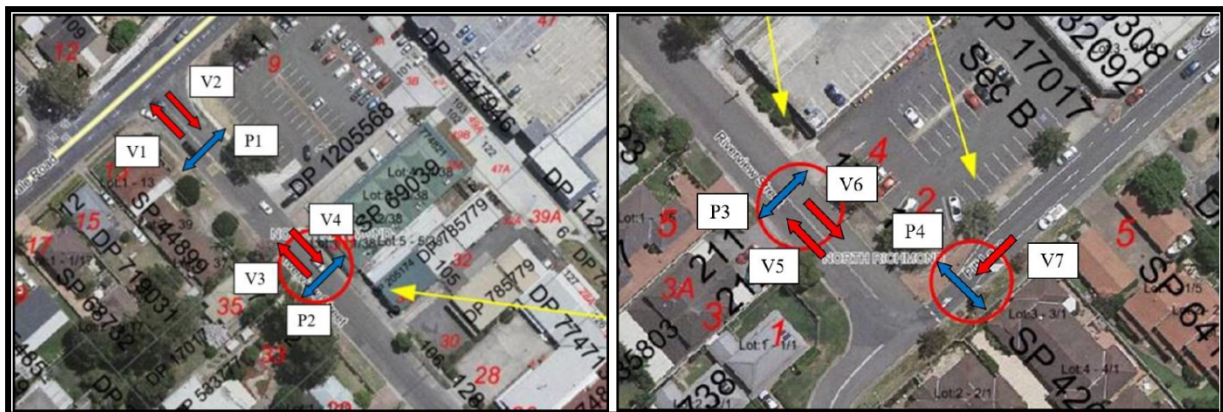


Figure 3: Pedestrian/Vehicle Movement Diagram – Riverview Street and Pitt Lane, North Richmond

TIME	MOVEMENT										
	V1	V2	V3	V4	V5	V6	V7	P1	P2	P3	P4
8:00am - 9:00am	165	168	168	114	123	19	88	4	7	2	3
11:00am - 12:00pm	328	173	303	122	136	5	134	8	8	5	7
2:30pm - 3:30pm	363	197	319	148	172	10	164	9	19	4	7

Table 1: Pedestrian/Vehicle Movement Data - Riverview Street and Pitt Lane, North Richmond

Under the RTA’s Guide to Traffic Generating Developments (2002), the recommended maximum peak hour volume on a residential collector road is 300vph as the environmental goal with an absolute maximum of 500vph.

The current peak (Wednesday PM) bidirectional traffic volume on Riverview Street near Grose Vale Road is 560vph (V1 and V2), which exceeds the desirable environmental maximum and may begin to impact residential amenity. Whilst this may not be considered atypical, given the town centre locality and shopping centre attractors, it does indicate the potential increase pedestrian waiting times at crossing locations. The traffic demand is significantly less towards the south-eastern end of Riverview Street with a peak bidirectional volume of 182vph (V5 and V6), with a predominant vehicle movement in the north-west direction. Pitt Lane is well utilised with many through movements from Bells Line of Road and acts as a rat-run during the PM period to avoid the Grose Vale Road signalised intersection.

The majority of pedestrian movements occurred midblock along Riverview Street approximately 30 to 60metres south-east of the Gross Vale Road intersection and in the vicinity of the Childcare Centre at No. 33 Riverview Street (P2) with a maximum of 19 movements in the PM peak. The provision of a pedestrian crossing is not supported for this site as the pedestrian (P) and vehicle (V) volumes are not significant enough to meet PV warrant requirements as set by Transport for NSW (TfNSW). The general warrant for a

ORDINARY MEETING
SECTION 4 – Reports of Committees

Meeting Date: 13 September 2022

Pedestrian Crossing such as this site, which is not directly outside a School, would require $P \geq 30$ and $V \geq 500$ and a product of $PV \geq 60,000$.

Key observations noted with pedestrian and vehicle behaviour along Riverview Street include:

- Majority of pedestrians observed were students and parents/carers from Richmond North Public School, particularly during the PM peak. Pedestrians heading in both directions along Gross Vale Road crossed Riverview Street at the intersection point or further into Riverview Street approximately 30 to 60metres south-east. A number of pedestrians observed were crossing in front of the Childcare Centre located at No. 33 Riverview Street.
- Despite low pedestrian volumes, some dangerous and impatient crossing activity was observed, with children rushing between short gaps in traffic flow. Crossing occurrence both at the intersection and near driveways presented a risk of pedestrian/vehicle conflict with turning movements.
- The Riverview Street approach to its intersection with Gross Vale Road accommodates a dual left/right turn arrangement. This allows for vehicles to turn left into Grose Vale Road in their own lane whilst vehicles are waiting to turn right. Regular queuing was observed from the give way control with pedestrians crossing between queued vehicles. With the implementation of the proposed roundabout at intersection of Sunnyside Crescent and Grose Vale Road, the left turn vehicles can perform a U-turn at Sunnyside Crescent and head back towards the Bells Line of Road/Gross Vale Road signalised intersection. The optional turn will relieve some pressure from the right turn queuing that was observed.
- At the Riverview Street/Pitt Lane intersection, pedestrian waiting times were less and no impatient behaviour was observed due to the lower vehicle volumes. This intersection, however, has poor accessibility with no existing kerb ramps.
- The carpark driveways along Riverview Street were regularly used by motorists accessing the shopping centres. Whilst the majority of visitors utilised onsite parking, some vehicles were parked kerbside along Riverview Street. The parked vehicles narrowed the roadway having a traffic calming effect with most motorists observed travelling at an appropriate speed.

A review of the most recent 5-year crash data (July 2015 to June 2020), provided by the NSW Centre for Road Safety, has revealed two non-casualty crashes at the intersection of Riverview Street and Gross Vale Road which include a 'left near' and 'left rear' road user movement (RUM). Two injury crashes have been recorded along Riverview Street south-east of Gross Vale Road which involved a 'left rear' and 'left side swipe' RUM, with one runoff injury crash at the bend in Flinders Place near its intersection with Riverview Street and Pitt Lane. No pedestrian-related crashes have been recorded. The crash locations are outlined in Figure 4.

ORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 13 September 2022



Figure 4: Crash Diagram – Riverview Street, North Richmond

The assessment has considered on-site conditions as well as geometric constraints, crossing sight distance (CSD), benefit-cost ratio (BCR), and effective crash reduction in recommending the proposed facility treatments/actions. This includes possible pedestrian devices for Riverview Street to enhance pedestrian safety by minimising pedestrian exposure and conflict potential at key crossing points. The objectives of the treatments are to minimise possible conflicts, decrease pedestrian exposure via a staged crossing of the road, and control vehicle movements on approach to the facility.

Details of the treatment options are listed below and included in Attachments 1 to 3:

1. Grose Vale Road and Riverview Street intersection Treatment:

Pedestrians heading in both directions along Gross Vale Road were observed crossing Riverview Street at the existing kerb ramps across the intersection point. The provision of a pedestrian refuge and a holding line treatment was investigated for the Riverview Street approach. A refuge at this intersection both improves driver lane discipline for turning movements and facilitates a staged crossing attempt to reduce pedestrian exposure. This treatment, however, is not feasible given Gross Vale Road and Riverview Street must accommodate 19m semi-trailer access to service the shopping centres. As outlined in Figure 5, a semi-trailer has inadequate clearance between the kerb line and refuge and does not provide adequate protection for pedestrians should they take refuge at the centre island. This treatment also prevents the duel left/right turn from Riverview Street which may further exacerbate queuing as the proposed roundabout at Sunnyside Crescent does not facilitate a U-Turn for a semi-trailer.

ORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 13 September 2022

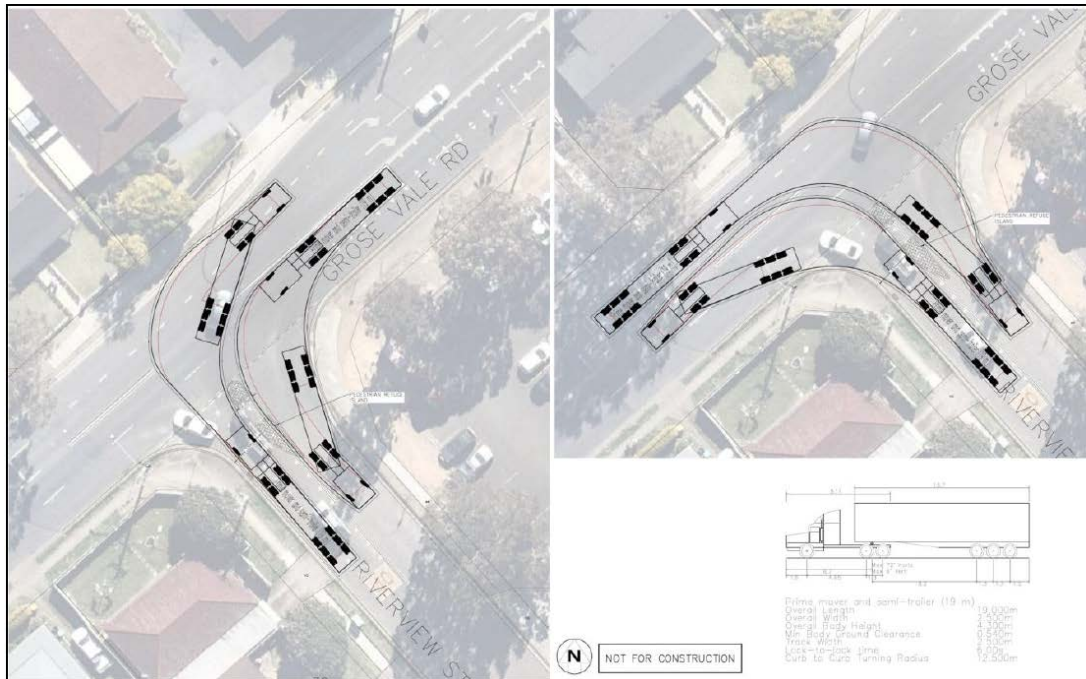


Figure 5: Pedestrian Refuge with 19m semi-trailer swepth paths at Grose Vale Road and Riverview Street, North Richmond

Whilst the geometric constraints do not allow a refuge island treatment at the intersection, changes to the existing kerb ramps are proposed. The existing kerb ramps are angled diagonally into the intersection's centre and do not appropriately direct pedestrians to cross Riverview Street. As such, the realignment of the kerb ramps and installation of pedestrian fencing is proposed to better direct pedestrians, improve accessibility, and increase the prominence of the pedestrian desire line to motorists.

2. Riverview Street Midblock Pedestrian Treatment:

A number of pedestrians crossed Riverview Street approximately 30 to 60metres (midblock) south-east of the Gross Vale Road intersection to avoid conflict with turning vehicles. This desire line can be treated via a midblock pedestrian refuge island either north-west or south-east of the carpark driveway. A refuge to the north-west fronting 39 Riverview Street and approximately 30metres south-east of the Gross Vale Road intersection is outlined in Figure 6. This location benefits from being located within the existing No Stopping zone, however, given the limited roadway width, a refuge at this location impacts the left and right-turn movements of semi-trailers into the carpark driveway and adequate clearance is not achieved.

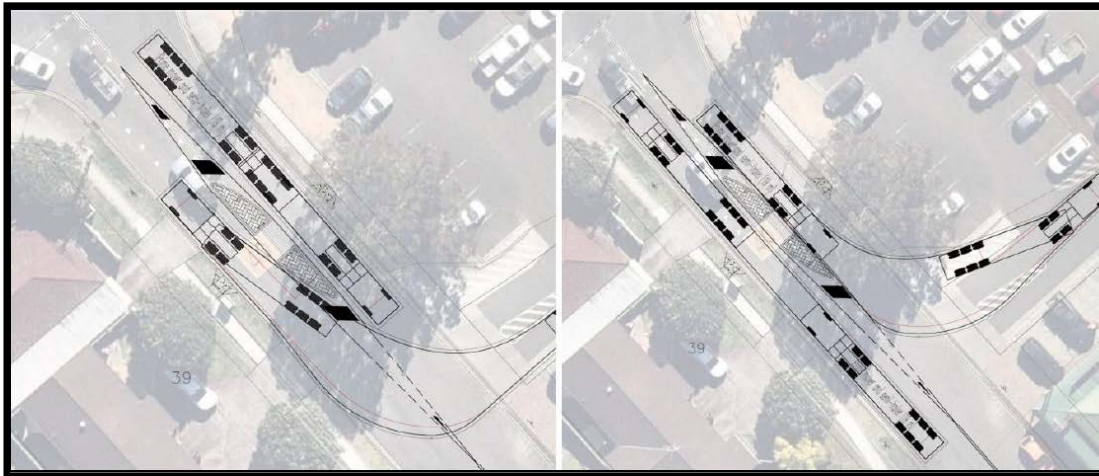


Figure 6: Pedestrian Refuge with 19m semi-trailer swept paths midblock 30metres from the Grose Vale Road and Riverview Street intersection, North Richmond

The preferred option is a midblock pedestrian refuge island south-east of the carpark driveway fronting No. 35 Riverview Street approximately 60metres south-east of the Gross Vale Road intersection. This location supports the prominent pedestrian desire line near the childcare centre and does not impact heavy vehicle turning movements. It also maximises CSD, is under existing street lighting, and is at sufficient distance from the Gross Vale Road and Riverview Street intersection to mitigate regular obstruction by queued vehicles. This location offers greater pedestrian safety benefits, however, will require No Stopping restrictions to ensure sight distance and manoeuvrability are maintained. This will result in a loss of approximately 4 parking spaces, taking into account existing driveways in this vicinity. The changes to the parking restrictions will require consultation with the adjoining property owners.

Due to the limited space available, the length of each refuge island has been reduced to 3.6m to avoid obstructing the residential driveway at No.35 Riverview Street. This length is in accordance with AS 1742.10, but not TfNSW TDT 2011/01a which requires a 6m length. The chevron linemarking will be undertaken in accordance with the requirements of TfNSW.

A pedestrian crossing was also considered at this location. The pedestrian and vehicle demand fails to meet the TfNSW warrant of a PV product of 60,000, with the current conditions having a PV product of 8900. Insufficient pedestrian demand is undesired at pedestrian priority devices and can lead to driver complacency.

3. Riverview Street and Pitt Lane Intersection Treatment:

A pedestrian desire line exists across both Riverview Street and Pitt Lane, however, the pedestrian volumes were not significant and may be addressed through roadside treatments such as kerb ramps, blisters, and No Stopping signage. The proposed kerb ramps improve accessibility and act to direct pedestrians to an appropriate crossing location. Concrete blisters will supplement the crossing on Pitt Lane to reduce pedestrian crossing distance and exposure, and the installation/relocation of No Stopping signage will improve CSD. Currently no path exists along the southern verge of Pitt Lane, as such an interim concrete landing pad is proposed to improve accessibility. The provision of the No Stopping signage in Pitt Lane and Riverview Street will result in the loss of two parking spaces; one each in Pitt Lane and Riverview Street. The changes to the parking restrictions will require consultation with the adjoining property owners.

The Austroads Pedestrian Facility Selection Tool was used to assess the viability of different pedestrian crossing treatment options according to the physical and operational parameters of each site and its safety performance. The tool helps quantify pedestrian and vehicle delay, safe sight distances, pedestrian level of service, and uses default economic parameters to calculate a BCR. Various treatment options were compared using peak period demand and an estimated cost based on similar projects. The refuge

ORDINARY MEETING

SECTION 4 – Reports of Committees

Meeting Date: 13 September 2022

treatment best suits the midblock context offering the greatest BCR with a 56% expected pedestrian crash reduction factor. Insufficient pedestrian demand exists to justify a higher tier treatment such as a raised pedestrian crossing.

The provisional cost estimate for these works is \$150,000 and is subject to a detailed survey and design prior to finalising the cost estimate. Initial enquiries have been made with Transport for NSW (TfNSW) under its Road Safety programme for potential funding. If funding is not available through TfNSW, this project be listed for consideration by Council in a future works program.

In addition to the recommendations outlined from the review, it is also proposed that TfNSW be requested to consider both Pitt Lane and Riverview Street as 40kph High Pedestrian Activity Areas (HPAA) and sign post accordingly. The reduction of the speed limit from 50kph to 40kph will improve the overall pedestrian safety along both of these roads.

Summary:

The review of traffic and pedestrian behaviour along Riverview Street and Pitt Lane, North Richmond, recommends a series of pedestrian facilities to improve safety at key crossing points. The proposals for both sites are to provide a location that will enable pedestrians to cross the road with improved safety.

Based on observations and collected survey data, a number of different pedestrian devices and locations have been reviewed with consideration given to pedestrian/vehicle demand and desire lines, geometric constraints, crossing sight distance (CSD), benefit-cost ratio (BCR), and effective crash reduction. The review included traffic and pedestrian surveys, on-site observations, review of recent crash data, review of alternative treatment options, swept path analysis with concept design options of recommended treatments provided as outlined in Attachments 1 to 3 and summarised below:

1. Grose Vale Road and Riverview Street intersection Treatment:
 - Realignment of the kerb ramps in Riverview Street at its intersection with Grose Vale Road and the installation of pedestrian fencing to better direct pedestrians, improve accessibility, and increase the prominence of the pedestrian desire line to motorists.
2. Riverview Street Midblock Pedestrian Treatment:
 - The provision of a midblock pedestrian refuge island south-east of the carpark driveway fronting No. 35 Riverview Street approximately 60metres south-east of the Gross Vale Road intersection.
3. Riverview Street and Pitt Lane Intersection Treatment:
 - The provision of roadside treatments such as kerb ramps, blisters, and No Stopping signage in both Riverview Street and Pitt Lane at its intersection.

TfNSW be requested to consider both Pitt Lane and Riverview Street as 40kph High Pedestrian Activity Areas (HPAA) and sign post accordingly.

RECOMMENDATION TO COMMITTEE:

That:

1. The following treatment measures in Riverview Street and Pitt Lane, North Richmond be listed for consideration by Council in a future works program or funding be sought through Transport for NSW (TfNSW) under its Road Safety programme as outlined in Attachments 1 to 3 and summarised below:
 - a) Grose Vale Road and Riverview Street intersection Treatment:
 - Realignment of the kerb ramps in Riverview Street at its intersection with Grose Vale Road and the installation of pedestrian fencing to better direct pedestrians, improve accessibility, and increase the prominence of the pedestrian desire line to motorists.

ORDINARY MEETING

SECTION 4 – Reports of Committees

Meeting Date: 13 September 2022

- b) Riverview Street Midblock Pedestrian Treatment:
 - The provision of a midblock pedestrian refuge island south-east of the carpark driveway fronting No. 35 Riverview Street approximately 60metres south-east of the Gross Vale Road intersection.
 - c) Riverview Street and Pitt Lane Intersection Treatment:
 - The provision of roadside treatments such as kerb ramps, blisters, and No Stopping signage in both Riverview Street and Pitt Lane at its intersection.
2. TfNSW be requested to consider both Pitt Lane and Riverview Street, North Richmond as 40kph High Pedestrian Activity Areas (HPAA) and sign post accordingly.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Lyons-Buckett, seconded by Ms Hobbs.

Support for the Recommendation: Unanimous support

That:

1. the following treatment measures in Riverview Street and Pitt Lane, North Richmond be listed for consideration by Council in a future works program or funding be sought through Transport for NSW (TfNSW) under its Road Safety programme as outlined in Attachments 1 to 3 and summarised below:
 - a) Grose Vale Road and Riverview Street intersection Treatment:
 - Realignment of the kerb ramps in Riverview Street at its intersection with Grose Vale Road and the installation of pedestrian fencing to better direct pedestrians, improve accessibility, and increase the prominence of the pedestrian desire line to motorists.
 - b) Riverview Street Midblock Pedestrian Treatment:
 - The provision of a midblock pedestrian refuge island south-east of the carpark driveway fronting No. 35 Riverview Street approximately 60metres south-east of the Gross Vale Road intersection.
 - c) Riverview Street and Pitt Lane Intersection Treatment:
 - The provision of roadside treatments such as kerb ramps, blisters, and No Stopping signage in both Riverview Street and Pitt Lane at its intersection.
2. TfNSW be requested to consider both Pitt Lane and Riverview Street, North Richmond as 40kph High Pedestrian Activity Areas (HPAA) and sign post accordingly.

Item: 2.6 LTC - Proposed Signposting and Line Marking for the Vineyard Precinct in the vicinity of Menin Road and Boundary Road, Oakville - DA0025/21 (Hawkesbury) - (80245, 73621, 123265)

REPORT:

Development Consent No. DA0025/21 has been granted to construct road and drainage works to create 132 residential lots within the Vineyard Precinct. The proposed development is within Nos 122 and 138 Menin Road and Nos 58 and 62 Boundary Road, Oakville (Lots 1001, 1002, 1003 and 1004 DP 1267075) generally bound by Menin Road and Boundary Road as outlined in Figures 1 and 2.

ORDINARY MEETING
SECTION 4 – Reports of Committees
Meeting Date: 13 September 2022

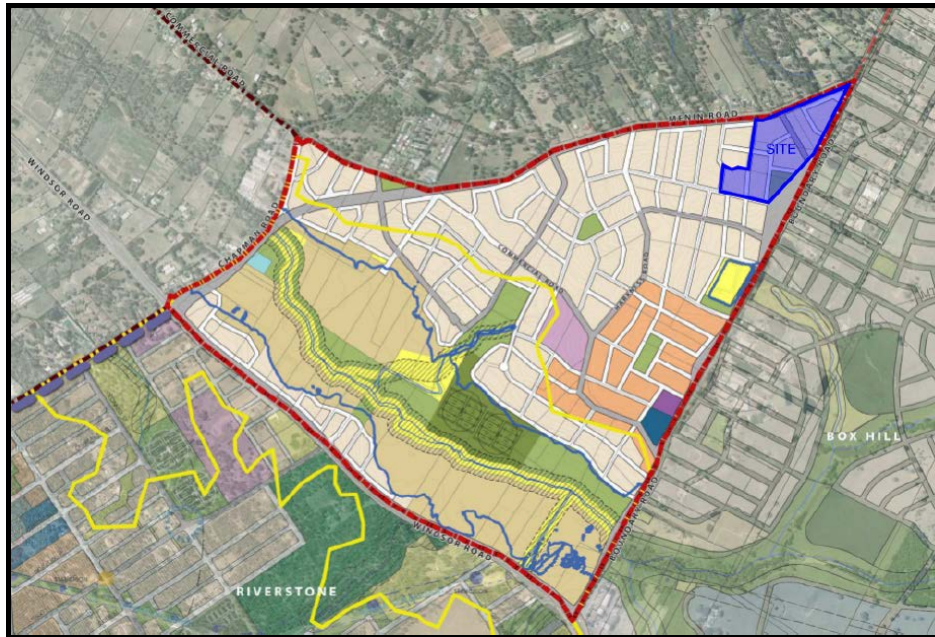


Figure 1: Site Locality within the Vineyard Precinct

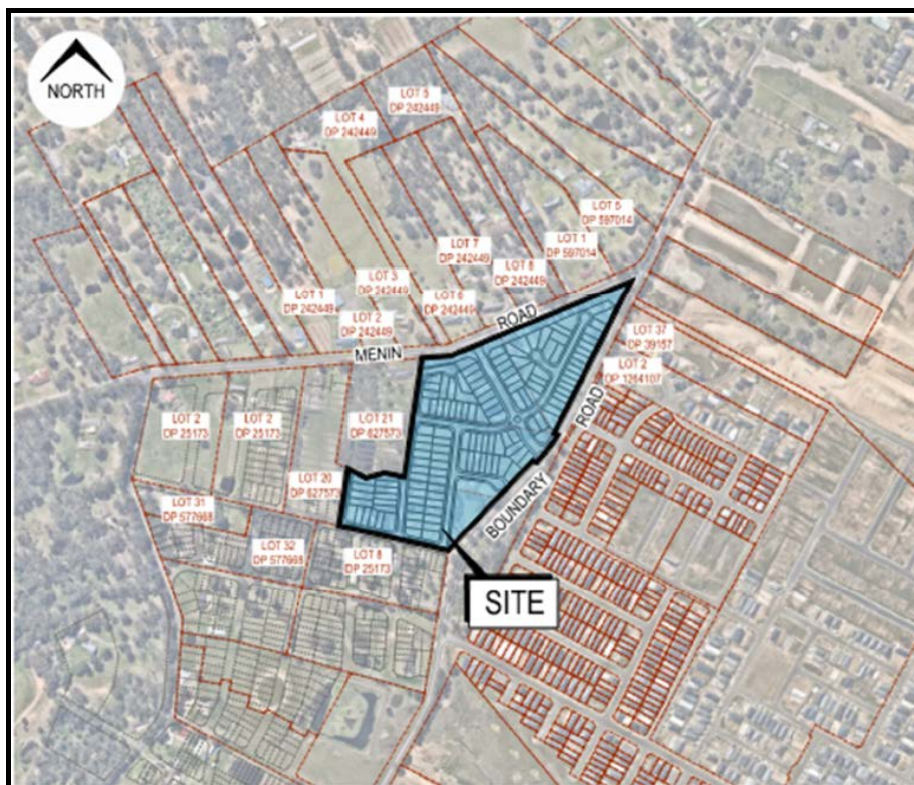


Figure 2: Site Extent and Road Layout

The proposed road network, as outlined in Figure 3, will connect to Menin Road and Boundary Road. The proposed roads are listed below with their corresponding road widths between kerbs.

- Road 01 - Collector Road 13m Carriageway (Full Road Width Construction)
- Road 02 - Local Road 9m Carriageway (Full Road Width Construction)
- Road 03 - Local Road 9m Carriageway (Full Road Width Construction)

ORDINARY MEETING

SECTION 4 – Reports of Committees

Meeting Date: 13 September 2022

- Road 04 - Local Road 9m Carriageway and 5.5m Carriageway (Full Road and Partial Half Road Width Construction)
- Road 05 - Local Road 9m Carriageway and 5.5m Carriageway (Full Road and Partial Half Road Width Construction)
- Road 06 - Local Road 6m Carriageway (Full Road Width Construction)
- Road 07 - Local Road 9m Carriageway and 5.5m Carriageway (Full Road and Partial Half Road Width Construction)
- Road 08 - Local Road 9m Carriageway (Full Road Width Construction).

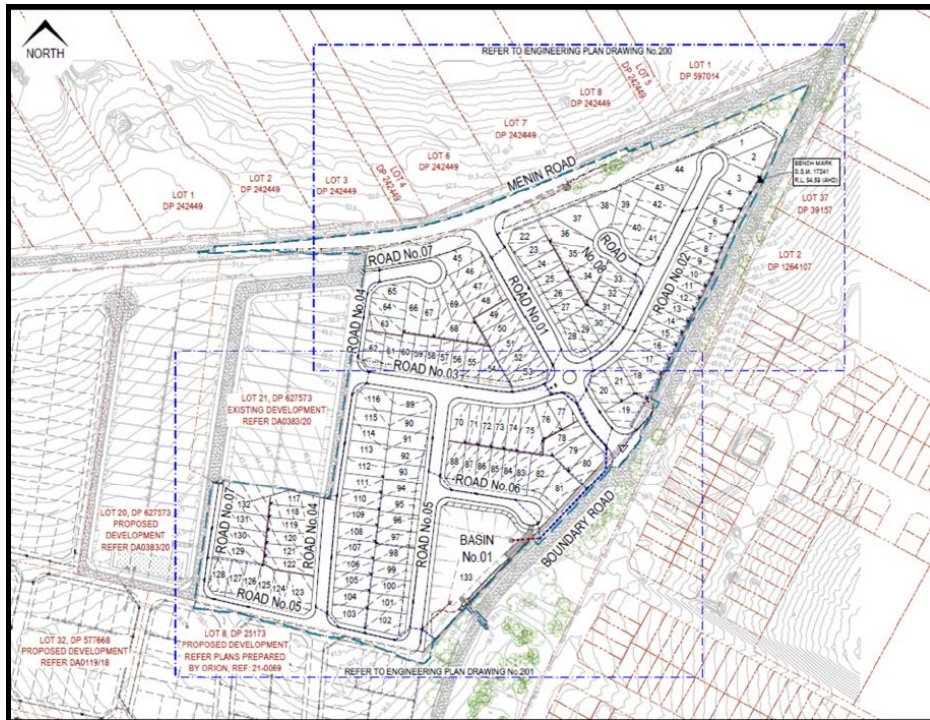


Figure 3: Road Layout and Road Numbers

Most of the intersections as part of this development are T-Junctions. Signposting and line marking locations are consistent across all intersections for this development in accordance with the conditions of consent. The intersection of Roads 01, 02 and 03 will be controlled with a roundabout. Details of the roundabout profile and associated traffic islands are outlined in Attachments 5 and 6.

The internal intersections (excluding the roundabout intersection) consisting of local roads 03, 04, 05, 06 and 08 with either a 6m or 9m carriageway will be line marked with a double barrier centre line (BB) 15m to each approach with the T-Junction having a Give Way control and Holding line (TB/TB1). Road 01 with a 13m carriageway will be linemarked for its full length with double centre line (BB) and edge lines (E1) with 3m parking lanes and 3.5m travelling lanes. Details of the proposed signage and line marking is outlined in the Plans prepared by Orion Consulting (20-0163-04-SWC-800-F) – Attachment 1.

The intersection of Road 01 and Boundary Road will be left in and left out only, with a raised concrete median island in Road 01. Signage is proposed in Boundary Road to prohibit the right turn from Boundary Road into Road 01.

Swept/Turning path diagrams (Attachment 6) have been provided for the 8.8m design vehicle (MRV Truck) and the 12.5m check vehicle (HRV Truck) for the local road network. Swept/Turning path diagrams have been provided for the 12.5m design vehicle (HRV Truck) and the 19m check vehicle (AV Truck) for Road 01 being a Collector Road which connects Menin Road and Boundary Road. The swept paths for check vehicles 12.5m MRV Truck and 19m AV Truck for the respective roads/intersections show slight encroachments over the BB line at the T-Junctions with the design vehicles clearing the BB line for the

ORDINARY MEETING

SECTION 4 – Reports of Committees

Meeting Date: 13 September 2022

respective roads/intersections. The purpose of the check vehicle is to ensure that there are no physical barriers prohibiting the manoeuvre. On this basis, the manoeuvres are acceptable, taking into consideration the road dimensions, geometry, grades, and kerb returns are in accordance with the relevant standards.

The cul-de-sacs for Roads 02, 06, 07 and 08 are to be sign posted with No Parking zones. A section of Road 07 with a 5.5m Carriageway (Partial Half Road Width Construction) will not be provided with a temporary turning head as these works will be undertaken concurrently with the next stage of the development resulting in the full width of Road 07 being constructed which includes its extension in a northerly direction to connect with the furthest point of Road 07 and its cul-de-sac. Full width construction of Road 04 will also be undertaken concurrently with the next stage of the development resulting in the full width of the Road 04 being constructed between Road 05 and Road 07. In the event that the full width construction is not undertaken with the neighbouring development, to ensure two-way traffic flow is provided and there is no obstruction to traffic flow, these sections of road will be signposted with temporary No Parking and No Stopping zones on both sides.

A sections of Road 05 will operate as a half-road width (section running east-west between the bend in Road 05 and Road 07) with two-way traffic flow and will be signposted with temporary No Parking and No Stopping zones on both sides of the road to ensure there is no obstruction to traffic flow.

All temporary zones will be reviewed when the full width construction works are undertaken in the future and actioned accordingly if they are to be adjusted or removed. Details of the proposed signage and line marking are outlined in the Plans prepared by Orion Consulting (20-0163-04-SWC-800-F) - Attachment 1.

The design plans have been prepared by Orion Consulting (Project Ref. 20-0163) and Certification provided by Hawkesbury City Council (Reference CFT119624). The certification indicates compliance of the road designs, and that all relevant standards and road widths can accommodate the proposed line marking treatments in accordance with the relevant standards.

The signage and line marking plans prepared by Orion Consulting:

- 20-0163-04-SWC-800-F
- 20-0163-04-SWC-801-D
- 20-0163-04-SWC-802-D
- 20-0163-04-SWC-803-E

have been submitted to the Local Traffic Committee for concurrence and approval in accordance with the Development Consent conditions.

Summary:

The Signage and Line marking plans prepared by Orion Consulting:

- 20-0163-04-SWC-800-F
- 20-0163-04-SWC-801-D
- 20-0163-04-SWC-802-D
- 20-0163-04-SWC-803-E

associated with the Development Application DA0025/21 be implemented.

Committee Discussion:

Transport for NSW (TfNSW) raised two matters for consideration:

1. The Swept paths entering and exiting Road No.02 and Road No. 03 (Plan 20-0163-04-SWC-802-D) at the roundabout in Road 01 cannot be achieved without encroaching onto the BB Line if a vehicle is parked directly next to the end of the "No Stopping" zone. It is requested that the No Stopping zones in Road No. 02 and 03 be extended 6metres past the end of the BB lines.

ORDINARY MEETING

SECTION 4 – Reports of Committees

Meeting Date: 13 September 2022

2. The Left Only sign and No Right Turn sign at the approach of Boundary Road along Road No. 01 (Plan 20-0163-04-SWC-803-E) are two different signs communicating the same message. It is requested that the No Right Turn sign on the splitter island be replaced with a Left Only (R2-14(L)) sign to simplify the delineation

The Committee discussed the matter and agreed with the matters raised by TfNSW and the proposed amendments.

The amendments in summary:

1. Plan 20-0163-04-SWC-802-D be amended with the No Stopping zones in both Road No. 02 and 03 be extended 6metres past the end of the BB lines into each of these roads.
2. Plan 20-0163-04-SWC-803-E be amended replacing the No Right Turn sign on the splitter island in Road No. 01 with a Left Only (R2-14(L)) sign.

RECOMMENDATION TO COMMITTEE:

The Signage and Line marking plans prepared by Orion Consulting:

- 20-0163-04-SWC-800-F
- 20-0163-04-SWC-801-D
- 20-0163-04-SWC-802-D
- 20-0163-04-SWC-803-E

associated with the Development Application DA0025/21 be implemented.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Lyons-Buckett, seconded by Ms Hobbs.

Support for the Recommendation: Unanimous support

That the Signage and Line marking plans prepared by Orion Consulting:

- 20-0163-04-SWC-800-F
- 20-0163-04-SWC-801-D
- 20-0163-04-SWC-802-D
- 20-0163-04-SWC-803-E

Including the following amendments

1. Plan 20-0163-04-SWC-802-D be amended with the No Stopping zones in both Road No. 02 and 03 be extended 6metres past the end of the BB lines into each of these roads.
2. Plan 20-0163-04-SWC-803-E be amended replacing the No Right Turn sign on the splitter island in Road No. 01 with a Left Only (R2-14(L)) sign.

associated with the Development Application DA0025/21 be implemented.

ORDINARY MEETING

SECTION 4 – Reports of Committees

Meeting Date: 13 September 2022

SECTION 3 - Reports for Information

Item: 3.1 LTC - TfNSW Traffic Changes on Macquarie Street between Brabyn Street and Hawkesbury Valley Way, Windsor (Hawkesbury) - (80245)

REPORT:

Correspondence has been received from Transport for NSW (TfNSW) (ECM Doc. No. 8044122) advising of traffic changes along Macquarie Street (State Road) between Brabyn Street and Hawkesbury Valley Way. These changes are in response to previous requests for this section of road to be reviewed, to improve the movement of traffic along Macquarie Street in the north bound direction.

The proposed changes will result in the right turning lane for north bound traffic from Macquarie Street into Hawkesbury Valley Way being extended as well as implementing a No Stopping zone along the western kerb line which will result in the removal the all-day parking along this kerb side.

An extract from the advice provided by TfNSW is listed below:

“Transport for NSW will carry out traffic changes on Macquarie Street, South Windsor between Brabyn Street and Hawkesbury Valley Way.

The changes will include an extension of the right turn lane from Macquarie Street to Hawkesbury Valley Way for traffic driving northbound on Macquarie Street. It will also include the removal of the unlimited parking on the left-hand side of Macquarie Street into a no stopping zone to allow for the extension of the left-hand lane.

These important changes will improve safety for vehicles travelling on the road and provide consistent driving conditions for road users.



Location of work on Macquarie Street

Transport is responsible for setting and signposting safe and appropriate traffic conditions.

ORDINARY MEETING

SECTION 4 – Reports of Committees

Meeting Date: 13 September 2022

The queue length for the right-hand lane on Macquarie Street turning into Hawkesbury Valley Way has been shown to be too short and causing a bank up of traffic. In response, we are lengthening the right turn lane by using up more of the left/through lane. To do this, we need to remove the unlimited parking in the verge to create a left turn/through lane. The removed parking will be a no stopping zone.

Work is scheduled to commence from Monday 18 July with expected completion by Wednesday 27 July.

The new parking conditions will take effect after the signs are installed. There will be electronic message signs in the area to inform local residents and road users of the change.”

RECOMMENDATION TO COMMITTEE:

That the information be received.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Lyons-Buckett, seconded by Ms Hobbs.

Support for the Recommendation: Unanimous support

That the information be received.

SECTION 4 - General Business

There was no General Business.

SECTION 5 - Next Meeting

The next Local Traffic Committee meeting will be held on Monday, 12 September 2022 at 3pm.

The meeting terminated at 3:40pm.

oooO END OF REPORT Oooo

Ordinary

Section **5**

Notices of motion

ORDINARY MEETING

SECTION 5 – Notices of Motion

Meeting Date: 13 September 2022

ORDINARY MEETING
SECTION 5 – Notices of Motion
Meeting Date: 13 September 2022

SECTION 5 – Notices of Motion

Item: 167 **NM1 - Restoration of Windsor Mall Gas Lamps - (155345)**

Submitted by: Councillor Djuric

NOTICE OF MOTION:

That Council:

1. Restore the Windsor Mall gas lamps to run on gas as they were originally intended.
2. Look into fitting emission reducing mantles and other fittings to help Council's drive toward net zero emissions.
3. Liaise with specialists such as gas fitters, gas network employees, gas engineers, lamp manufacturers, and historical lamp experts, so that Windsor's gas lamps are appropriately and respectfully restored, whilst minimising running costs and emissions.
4. Complete the restoration during the Windsor Mall revamp.

BACKGROUND

Windsor installed and lit its first gas lamp, to replace their oil lamps, on Saturday, 6 December 1884.

On Saturday, 8 December 1984, exactly 100 years later, Hawkesbury Shire Council lit 25 "historical replica" gas lamps to much fanfare and celebration in what was arguably, an honourably respectful nod to Windsor's historical past.

The Windsor Mall lamps are in the "Windsor" lamp style, which have been embraced in such areas as Westminster, The Horses Guard Parade, Pall Mall, and Buckingham Palace, the Queen even received one for her Jubilee, in fact a Windsor lamp sat pride of place, right beside our Toll House as seen in a local flood story of 1879. In situations where original history is no longer available, historical replicas are seen as a very important way to remember style, engineering, or simply ways of the past, before they are forgotten.

The Windsor Mall lamps can be appropriately and respectfully restored by consulting with experts such as Ron Van Es, who has a history of working on those very lamps, David Holden of the Australian Gas Network, who funded, and oversaw the restoration of the Port Pirie gas lamps. David, along with the Port Pirie community were inspired due to the passion for history, of our very own Hawkesbury Community.

Further consultation of value could be obtained from The Bovolo Gas Company from New Orleans that manufacture fuel saving fittings and supply lamps to not only 50 states but also to over 60 countries. Also from Lynn Jones, the world's only female Gas Lamp Engineer, who restored over 300 lamps using mantles that reduce emissions by over 70%. Peter Cuffley who restored the dozens of gas lamps in Sovereign Hill Victoria would also be of value.

Since the building of Richmond Market Place? Windsor has struggled to find its feet and many believe that it is now imperative that we passionately embrace iconic features of Windsor's history for tourism. Most historical precincts across the world are continually fitting these historical replica lamps to capitalise on history for tourism.

A successful tourist area, comparable to the Hawkesbury, is New Orleans, which is 906km² as opposed to Hawkesbury at 2800km². New Orleans most visited area due to embracing its history and gas lamps is The French Precinct which is 1.7km² as opposed to Windsor at 1.5km².

ORDINARY MEETING
SECTION 5 – Notices of Motion
Meeting Date: 13 September 2022

The Hawkesbury sees on average about 8,000 international tourists annually where New Orleans sees approximately 18 million. One can see with comparisons, that in terms of capitalising on our history for tourism, we are sorely lacking.

FINANCIAL IMPACT

The matters raised in this report have direct financial implications. The expenditure applicable is not provided for in the Adopted 2022/2023 Operational Plan or as part of the Liveability Project funding and will need to be addressed.

NOTE BY MANAGEMENT

The Western Parkland City Liveability Program is a key commitment of the Western Sydney City Deal. The City Deals Liveability Program was established to enable each Council to implement a project to provide infrastructure improvements that will improve the built and natural environments and enable economic and social prosperity. The total value of the Liveability Program is \$18.75 million per Council comprising \$15 million from the Commonwealth and State Government and a further matching \$3.75 million from Council. In September 2018, under this Program, Council resolved to undertake town centre improvements in Richmond, South Windsor and Windsor. Originally the City Deal funding was required to be expended by April 2022; however this has now changed to June 2023 due to impact of natural disasters and COVID-19 Pandemic.

Please note that no further extensions will be considered as advised through the Assurance process with the State and Federal funding bodies.

In addition to the Liveability grant Council also secured a Greening Our City Grant valued at \$1,244,000. This money is to be expended by June 2023.

Ongoing discussions have been held with business owners/operators and other stakeholders to inform the scope of works to be delivered through the Liveability Program. Issues raised during these discussions ranged from location of street bins, gas lights, signage, and seats. Where possible, solutions to issues raised were developed and included in the design.

The retention of the gas lamps and other iconic items was raised by stakeholders in February 2022. On considering a Notice of Motion at its meeting of the 29 March 2022 Council resolved the following:

That:-

1. *During the implementation of the liveability project, Council retains in Windsor Mall, such iconic items as:-*
 - a. *The rotunda in front of 156 George St*
 - b. *The rotunda Wisteria plants*
 - c. *The water wheel*
 - d. *The gas lamps*
2. *Council remove the raised pavers around the base of the wisteria plants and replace them with suitable safety matting or another solution to achieve a safe and sustainable outcome.*

Following this resolution Council Officers have worked with the design team to have the design plans updated to include the requested iconic items; the project delivery timeframe was delayed by this process. The final plans were lodged with Heritage NSW in July 2022 and are awaiting approval. The final design plans for Windsor Mall that are currently awaiting Heritage NSW approval include provisions for lighting of the lamps to resemble gas lighting but using electricity as it supports Council's work in achieving its adopted Net Zero Strategy and associated targets.

If the design plans are significantly altered, these plans will require approval from Heritage NSW. In order to keep the project to schedule for delivery by June 2023 it is suggested that the Heritage NSW application

ORDINARY MEETING
SECTION 5 – Notices of Motion
Meeting Date: 13 September 2022

proceeds as is for now, with a later modification request submitted following the investigations of the condition of the gas pipes and connections.

Design Outcomes for the Windsor Mall

The design aim for the Windsor Mall is to celebrate existing heritage, while introducing a greener town centre that facilitates a healthy, inclusive way of living through public domain upgrades, place making and activation initiatives, and reenergize the charm of the Hawkesbury region. Below outlines some of the key activities and issues that were considered to inform the design plans that have been developed for Windsor Mall.

- Heritage - A heritage consultancy has been engaged to work with the design team to ensure that the design for the Windsor Mall is sensitive to heritage and the cultural significance of the area. From the initiation of the project, the design has been sympathetic to the heritage of the area to ensure that every measure is being taken to protect and enhance the heritage.
- The heritage consultants, Biosis have referred to the Burra charter in the Statement of Heritage Impacts (SoHI). This is referenced throughout the report.
- Heritage assessment criteria in NSW fall broadly within the **four significance values outlined in the Burra Charter. The Burra Charter** has been adopted by State and Commonwealth heritage agencies as the recognised document for guiding best practice for heritage practitioners in Australia. The four significance values are:
 - Historical significance (evolution and association).
 - Aesthetic significance (scenic/architectural qualities and creative accomplishment).
 - Scientific significance (archaeological, industrial, educational, research potential and scientific significance values).
 - Social significance (contemporary community esteem).
- **The Burra Charter** Article 22. New work
22.1 New work such as additions or other changes to the place may be acceptable where it respects and does not distort or obscure the cultural significance of the place, or detract from its interpretation and appreciation.
- 2013 practice note:
New work should respect the significance of a place through consideration of its siting, bulk, form, scale, character, colour, texture and material. Imitation should generally be avoided
- Events/Markets - The design has been created to allow for the continued running of the markets and allow for place activations and events to occur which was raised during the consultation as an important element to the community.
- Emergency access - One of the key design requirements to be addressed during the detailed design has been to ensure we address sightlines and emergency vehicle access which includes the necessity to provide a compliant ingress and egress path through the mall.
- Economic development - The revamp of the mall is aimed at supporting the range of businesses, support local employment, enable outdoor dining and add to the tourism dollar.
- Meeting Disability access requirements – currently the mall does not meet disability access requirements. Group DLA Access was engaged to review all detailed design drawing and prepare an Access Design Review Report for the proposed public domain upgrade works. Structures can be potential obstacles for people with vision impairment and can be safety by design risks and it was recommended to reduce obstacles and provide. All recommendations from the accessibility review was incorporated into the design.

ORDINARY MEETING
SECTION 5 – Notices of Motion
Meeting Date: 13 September 2022

- Meeting Australian Standards – the design has to meet Australian Standards including lighting, pedestrian crossings, safety and sightlines.

Gas Lamps in the Mall

- The current proposal sees the gas lamps retained but some will be slightly repositioned in order to achieve the abovementioned design objectives.
- The gas was originally turned off on 24 October 2016 due to the ongoing running, maintenance and vandalism costs associated with the operation of the lamps which cost approximately \$40,000 per annum. No funding currently exists for these ongoing costs and would likely need to be sourced from other asset maintenance budgets (eg, roads, parks or buildings).
- Due to the gas lamps having been unlit for many years the integrity and compliance of the gas pipes and connections are unknown. This has been discussed with Mr Ron Van Es.
- The gas system cannot be confirmed as useable and compliant until such times as the construction commences and ground works are underway and pavers are lifted.
- The final design plans for Windsor Mall that are currently awaiting Heritage NSW approval include provisions for lighting of the lamps to resemble gas lighting but using electricity as it supports Council's work in achieving its adopted Net Zero Strategy and associated targets.

Since the resolution was passed at the Council meeting of 29 March 2022, Council staff together with the designers and Biosis, (specialist heritage consultants), have been working through all considerations and the associated documentation required to retain and relight the lamps.

Considerations have included:-

- Compliance with accessibility access requirements and circulation within the mall to enable more effective use of the mall for markets and other events;
- Relocating the lamps to create a visual and design alignment, and;
- Investigating the possibility of the use of gas to light the lamps, noting that to do so would likely require consideration by Council in conjunction with the targets set out in its adopted Net Zero Strategy.
- Costs associated with relighting the lamps with gas. If new pipe work and connections are required it is expected to be significant costs which will need to be funded from within the project budget and scope will need to be reduced elsewhere within the project.
- Ongoing costs associated with the running and maintenance costs are unbudgeted and will need to be funded from another infrastructure budget area of roads, parks or buildings.

Grant Accountability

Council have been requested, on numerous occasions to make scope/design changes to the plans for Windsor Town Centre which has resulted in project delays.

Staff underwent an extensive Assurance process with the State and Federal Government representatives regarding the expenditure of the grant and milestones. Council now has until June 2023 to complete the project.

Council is awaiting Heritage NSW approval of the final plans for Windsor and is currently at tender stage for construction. Early changes to the project scope impacted the timing of project delivery. Any proposed

ORDINARY MEETING
SECTION 5 – Notices of Motion
Meeting Date: 13 September 2022

change to the plans at this stage will further compress the construction timeline and may render Council unable to deliver the project in full within the grant funding period.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

ORDINARY MEETING
SECTION 5 – Notices of Motion
Meeting Date: 13 September 2022

Item: 168 **NM2 - Establishment of a Floodplain Management Sub-Committee to the Disaster and Emergency Committee - (125612)**

Submitted by: Councillor Lyons-Buckett

NOTICE OF MOTION:

That Council establish a dedicated Floodplain Management Committee or sub-committee of the Disaster and Emergency Committee to address flood-related issues, and

1. To incorporate the existing resolutions which established working groups to look at flood-related issues;
2. Invite expressions of interest for representatives to participate from flood-impacted areas including MacDonald Valley/St Albans, Upper Colo, Windsor, Pitt Town, South Windsor, McGraths Hill, Richmond Lowlands, North Richmond, Lower Portland, Cumberland Reach and any other areas suffering the impacts of floods;
3. Include relevant agencies from State Government and Emergency services as per the Floodplain Management Manual.

BACKGROUND

In light of the severity of cumulative flood events and the release of findings and recommendations from two inquiries into the floods of 2022, it is pertinent for us, as a Council to dedicate significant attention to flood-related matters for which we are responsible.

Currently we have several resolutions which have come via Notices of Motions or Mayoral Minutes around issues such as evacuation routes, flood mitigation, and working groups which have yet to meet.

Consolidation of these into an environment in which we can focus solely on flood-related issues and engage with representatives of affected communities will enhance our capacity to address issues more effectively.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

ORDINARY MEETING
Confidential Reports
Meeting Date: 13 September 2022

CONFIDENTIAL REPORTS

Item: 169 **GM - Organisation Structure - (79351)**

Directorate: General Manager

REASON FOR CONFIDENTIALITY

*This report is **CONFIDENTIAL** in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act 1993 and the matters dealt with in this report are to be considered while the meeting is closed to the press and the public.*

Specifically, the matter is to be dealt with pursuant to Section 10A(2)(a) of the Act as it relates to personnel matters concerning particular individuals (other than councillors).

In accordance with the provisions of Section 11(2) & (3) of the Local Government Act 1993, the reports, correspondence and other relevant documentation relating to this matter are to be withheld from the press and public.



Ordinary Meeting

End of Business Paper

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